

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

August 17, 2015

TO: David Sullivan, Acting Director

DEPT: Department of Revenue

FROM: James Botvin, Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Wednesday, August 5, 2015. Board members present: James Botvin, Marc Levasser, William Jeffrey, Joseph Solomon, Esq. and Lt. David Doucet of the Rhode Island State Police, who will abstain from voting and the deliberation process until further notice while on special assignment with the Department of Motor Vehicles Enforcement Division. Also present was Marcy Coleman, Esq., Deputy Chief of Legal Services Division of Motor Vehicles

**MEETING OF AUGUST 5, 2015 AT 12:30 PM AT THE
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE
ROOM,**

600 NEW LONDON AVENUE, CRANSTON, RI 02920

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE MEETING
OF:**

JULY 15, 2015 BOARD HEARING.

**The minutes for July 15, 2015 have been reviewed and approved by
the Board.**

**2. TASCA AUTOMOTIVE GROUP NORTH TWO, INC. DBA: TASCA
CHEVROLET (Robert F. Tasca, Jr. President)**

FIRST APPLICATION- CASE # KR-150-268

TO DEAL IN NEW CHEVROLET AND USED MOTOR VEHICLES ONLY

AT: 114 FORTIN DRIVE, WOONSOCKET, RI 02895

Joseph Solomon, Esq. has recused himself from this hearing.

**Decision: The Board has approved this application subject to the
following outstanding items being submitted to the RI Dealers
License and Regulations Office, a bond in the amount of \$50,000.00, a
second hand license issued by the town of Woonsocket, a franchise
agreement from General Motors, and a fictitious name report from the
RI Secretary of State.**

HEARING BOARD RESULTS 08-05-15

PAGE 2 OF 5

Also required is a site inspection to be performed by an investigator from the RI Dealers License and Regulations Office.

Fred Simon, Jr. has been named to the office of secretary of the new corporation so to avoid protest.

Fred Simon, Jr. must supply a Bureau of Criminal Identification report from the RI Attorney General Office to the RI Dealers License and Regulations Office.

The dealer license to do business number 77 and the dealer plates 30A-B must be returned to the RI Dealers License and Regulations Office.

Dealer plate's 60A-Z shall be transferred to the new dealership Tasca Chevrolet.

**3. TARBOX HYUNDAI, LLC DBA: TARBOX HYUNDAI
(Edward P. Tarbox, Member)**

TRANSFER APPLICATION - CASE # KR-150-271

FROM: 870 QUAKER LANE, WARWICK, RI 02818

TO: 3671 QUAKER LANE, NORTH KINGSTOWN, RI 02852

Decision: The Board has tentatively approved the transfer application subject to the completion of the new physical location. Hyundai of Newport has submitted a letter stating no protest.

4. SIMON CHEVROLET BUICK-LTD (Fred J. Simon, Jr. President)

114 FORTIN DRIVE, WOONSOCKET, RI 02895

CASE # KR-150-272

REQUEST TO TRANSFER OF THE MAIN LICENSE TO L& M MOTORS, LTD, DBA: SIMON AUTO GROUP LOCATED AT 4115 MENDON ROAD, CUMBERLAND, RI 02864.

Joseph Solomon, Esq. has recused himself from this hearing.

Decision: The Board has agreed to table this hearing until a future date to be determined.

HEARING BOARD RESULTS 08-05-15

5. TASCA AUTOMOTIVE GROUP EAST, INC DBA: TASCA NISSAN

(Robert F. Tasca, Jr. President)

CASE # KR-150-263

REQUEST TO SELL USED MOTOR VEHICLES

AT: 845 TAUNTON AVENUE, EAST PROVIDENCE, RI 02914

Decision: The Board has approved the application to sell new and used vehicles at the new location. The used dealer plates 542B-M and 900G shall be replaced with new vehicle dealer plates.

6. DEALERS' LICENSE & REGULATIONS OFFICE VS. MEGA WHEELS

AUTO SALES (David Voller, Owner)

CASE # AM-150-252

SHOW CAUSE HEARING

Joseph Solomon has abstained from voting because he was not present for the previous hearing.

Decision: The Board has ordered the suspension of the Mega Wheels Auto Sales license to do business, # 257 for 90 days effective 10 days after receipt of the formal decision and has assessed a fine of

\$1000.00 for unconscionable business practices to be paid within 10 days of receiving the formal decision to the RI Dealers License and Regulations Office. The dealership must turn in all dealer plates, 541A, C-J and 900X, the license to do business, #257 and all Division of Taxation blue taxation forms to the RI Dealers License and Regulations Office to be held until the conclusion of the suspension. The dealership will only be able to have 3 dealer plates, 541A & C and 900X returned because the dealership has only provided documentation of sales to support 3 plates. All other plates will be retained by the RI Dealers License and Regulations Office.

The Board has ordered the dealership to submit monthly sales records in numerical order by bill of sale number for 12 months commencing 1 month after the suspension has been lifted to the RI Dealers License and Regulations Office.

HEARING BOARD RESULTS 08-05-15

PAGE 4 OF 5

7. DEALERS' LICENSE & REGULATIONS OFFICE VS. GLOBAL AUTO SALES

(Mark Tantimonaco, Owner)

CASE # AM-150-062 CONTINUATION

SHOW CAUSE HEARING

Joseph Solomon has abstained from voting because he was not present for the previous hearing.

Decision: The Board has ordered the suspension of the Global Auto Sales license to do business, # 701 for 30 days effective 10 days after receipt of the formal decision. The Dealership must turn in all dealer plates, 391B, C and 902K and all Division of Taxation blue dealer Statement of Sales forms to the RI Dealers License and Regulations Office to be held until the conclusion of the suspension.

The Board has ordered the dealership to submit monthly sales records in numerical order by bill of sale number for 12 months commencing 1 month after the suspension has been lifted to the RI Dealers License and Regulations Office.

The Board has determined that the dealership is in Violation of RI General Law 31-5-11(10), having indulged in unconscionable practices relating to business as a motor vehicle dealer and has been fined \$1000.00 for each violation for a total of \$3000.00 to be paid to

the RI Dealers License and Regulations Office within 10 days of receiving the formal decision.

HEARING BOARD RESULTS 08-05-15

PAGE 5 OF 5

**8. RICHARD MORANTO AND DEALERS' LICENSE & REGULATIONS
OFFICE VS. GLOBAL AUTO SALES (Mark Tantimonaco, Owner)
CASE # KR-150-172
COMPLAINT / SHOW CAUSE HEARING**

The complainant was given a replacement vehicle by the dealer.

Decision: See Line 7.

**9. ALEXANDER LEWYCKYJ AND DEALERS' LICESNE &
REGULATIONS OFFICE VS. GLOBAL AUTO SALES (Mark Tanti
Monaco, Owner)
CASE # KR-150-267
COMPLAINT/SHOW CAUSE HEARING**

Decision: See Line 7.

James Botvin, Chairman

Marcy Coleman, Esq., Deputy Administrator of the DMV