

**MOTOR VEHICLE DEALER BOARD  
MINUTES**

**January 17, 2023**

The regular meeting of the Dealer Board was held via video conference with Cisco Webex. The following persons were virtually present:

**BOARD MEMBERS:**

Charla Berens  
Kathleen Chandler  
Fletcher Flower  
Amanda Gordon  
David Guttenberg  
Seth Wong

**MEMBERS ABSENT:**

Kevin Shaughnessy

**EXECUTIVE SECRETARY:**

Chris Rouze

**DEPT. OF REVENUE SBG/AID STAFF:**

Cory Amend  
John Opeka  
Frank Agos  
Gloria Breeden  
Joshua Dexter  
Billy Maestas  
Frank Macias  
Doug Knox  
Cheryl Morrison  
Bailey Gould  
Suzanne Karrer  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:**

Sarah Killeen  
Brad Jones

**VISITORS:**

Matthew Groves, CADA  
Daniel Carr, Esq., Dill and Dill  
Michael Cain

President, Amanda Gordon, opened the meeting of January 17, 2023, at 9:05 a.m. Ms. Gordon turned the floor over to Executive Secretary, Chris Rouze.

## **AGENDA REVIEW AND ANNOUNCEMENTS**

Ms. Rouze announced that meetings of the Colorado Motor Vehicle Dealer Board are opened to the public and are recorded. Members of the press may be in attendance and all comments, contributions, videos, images, and documents presented during the public session of the Colorado Motor Vehicle Dealer Board are considered public open records. Members of the media should direct any inquiries about this meeting and or open records to the Division's public information officer, Suzanne Karrer.

Ms. Rouze informed the Board that Mr. Shaughnessy will not be in attendance today. The Board will have an Exceptions hearing today and Ms. Sue Kim, Conflicts Counsel, will be in attendance to provide legal advice.

## **MINUTES**

The minutes of the December 20, 2022, meeting was approved unanimously.

## **EXECUTIVE SECRETARY REPORT**

Ms. Killeen recused herself and turned off her video and microphone.

Ms. Rouze presented the following to the Board:

- **Initial Decision - Ibriham Abdulmajeed Hammad, Motor Vehicle Salesperson License #210417** - Motion was made to accept the Findings of Fact, Conclusions of Law and uphold the recommended order to deny the license - passed unanimously.

Ms. Killeen returned to the meeting.

## **COMPLAINT INVESTIGATIONS REPORT**

Mr. Opeka presented the following to the Board:

**Statistical Reporting** - Mr. Opeka informed the Board that we started with 323 cases, 112 new cases were opened, and 138 cases were closed, giving the Division a balance of 297 open cases. There were 174 background inquiries performed.

**Affidavits of Probable Cause:**

- **OS-Cars, DL #43888** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to OS-Cars, Dealer License #43888; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits and that the Executive Secretary be permitted to engage in settlement negotiations pursuant to C.R.S. 44-20-104 - passed unanimously.
- **Rod's Cars, Inc., DL #8062** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Rod's Cars, Inc., Dealer License #8062; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits and that the Executive Secretary be permitted to engage in settlement negotiations pursuant to C.R.S. 44-20-104 - passed unanimously.
- **The Denver Collection, DL #43174** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to The Denver Collection, Dealer License #43174; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits and that the Executive Secretary be permitted to engage in settlement negotiations pursuant to C.R.S. 44-20-104 - passed unanimously.
- **John Francis Ambuul, SL #22702** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to John Francis Ambuul, Salesperson License #22702; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.
- **Joseph Daniel Attaway, SL #193134** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Joseph Daniel Attaway, Salesperson License #193134; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.
- **Luke Austin King, SL #166235** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Luke Austin King, Salesperson License #166235; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.
- **Sergio Angelo Ramirez, SL #185490** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Sergio Angelo Ramirez, Salesperson License #185490; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.

## BACKGROUND INVESTIGATIONS REPORT

Mr. Opeka presented the following to the Board:

### Salesperson Application(s):

- **Davis, Anthony Tirrell #211661** - Motion to deny the license based on unfitness of licensing character and unfitness of financial character - passed unanimously.

The Board meeting was halted to begin the Michael Cain Exceptions Hearing.

## REVIEW OF INITIAL DECISION UPON FILING OF EXCEPTIONS

*Case # BD 21-0555*

*Michael James Cain*

*Daniel W. Carr, Esq., appearing on behalf of Michael James Cain*

*Sarah Killeen, Assistant Attorney General, appearing on behalf of the State*

The Board entered Executive Session at 10:03 a.m. and returned to Open Session at 10:49 a.m.

Oral arguments, board discussion and final ruling were heard pursuant to the exceptions process.

A motion was made to adopt the Findings of Fact, the Conclusions of Law, revoke the license and have Conflicts Counsel draft the final order - passed 3-2.

The Board meeting resumed.

- **Davis, Christopher James #39763** - Motion to table until hearing on his current application is heard - passed unanimously.
- **Thomas, Tyler Nicholas #199855** - Motion to grant the license - passed unanimously.

Public Comment - None

New Business - None

The meeting of the Motor Vehicle Dealer Board was adjourned at 11:21 a.m.

*(Note: The Minutes of the Motor Vehicle Dealer Board summarize the contents of the meeting. They are not verbatim transcripts and are based principally upon the digital recording of the meeting and upon the later collaboration of staff attendees to ensure that the summary faithfully captures the matters before the Board and the actions the Board took. The digital recording of the meeting is a permanent record of the Board, retained in the electronic filing system of the Auto Industry Division, and is available as a resource for review, as needed.)*

Chris J. Rouze  
Executive Secretary