

MOTOR VEHICLE DEALER BOARD MINUTES

February 18, 2020

The regular meeting of the Dealer Board was held at the Department of Revenue offices, Lakewood, Colorado. The following persons were present:

BOARD MEMBERS:

Carrie Ann Baumgart
Charla Berens
Fletcher Flower
John Linton
Matthew Porter
Luke Walch
Jason White
Michael Widhalm

MEMBERS ABSENT:

Ramona Graves Bode

SENIOR DIRECTOR OF ENFORCEMENT:

Cory Amend

ACTING EXECUTIVE SECRETARY:

Chris Rouze

**DEPT OF REVENUE,
AID, ENFORCEMENT
DIVISION STAFF:**

Christine Hartman
John Opeka
Gloria Breeden
Frank Agos
Josh Dexter
Cheryl Morrison
Erika Garcia
Tim Rotter
Beth Spellerberg
Arleen Criddell Tapanen

ATTORNEY GENERAL'S OFFICE:

Brad Jones

VISITORS:

Todd O'Connell, CIADA
David Cardella, CIADA
Art Erwin, Christopher's Dodge Ram
Suzanne Karrer, SDO
Bruce Zulauf

President, John Linton, opened the meeting of February 18, 2020 at 9:01 a.m. Mr. Linton turned the floor over to Senior Director Amend to address the Board regarding a personnel matter.

Mr. Amend gave the Board an update on the hiring process for the Director of the Auto Industry Division and the Executive Secretary to the Motor Vehicle Dealer Board. Mr. Amend asked the Board for a 90-day extension to his appointment of Chris Rouze as the Interim Director and Acting Executive Secretary. A motion was made to extend Ms. Rouze's interim and acting roles for an additional 90 days – passed unanimously. Mr. Linton turned the floor over to Acting Executive Secretary, Chris Rouze.

AGENDA REVIEW AND ANNOUNCEMENTS

Ms. Rouze informed the Board there were no changes to the agenda as posted. Ms. Bode will not be in attendance today.

MINUTES

The minutes of the December 17, 2019 and January 21, 2020 meetings were approved 4-0-4 (Mr. Linton as Chair voted) (Flower, Porter, Walch and White abstained).

BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

Dealer Applications:

- **Auto Pharm Financial Corp. #44678** – Motion to deny the license based on unfitness of financial character – approved unanimously.
- **Turning Left Motors, LLC #44684 (MV)** – Motion to table for next meeting – approved unanimously.
- **Turning Left Motors, LLC #44685 (PS)** – Application not presented as companion application was tabled.

Salesperson Applications:

- **Arunachalam, Mayuran #188164** – Motion to deny the license based on unfitness of financial character – approved unanimously.
- **VanCamp, Alyssa May #205167** – Motion to deny the license based on unfitness of financial character, unfitness of criminal character and having been convicted of a misdemeanor under title 18 or any felony – approved unanimously.

EXECUTIVE SECRETARY REPORT

Ms. Rouze presented the following to the Board:

- **Proposed Stipulation and Final Agency Order – Central Autos #3215** – Motion to accept the Proposed Stipulation and Final Agency Order – approved 4-3 (Berens, Widhalm and Walch opposed).
- **Proposed Stipulation and Final Agency Order – Humphrey RV & Trailer, LLC #4613** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.

- **Proposed Stipulation and Final Agency Order – Arapahoe Hyundai, LLC #36244** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Perfect Image Auto Solutions #43884** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.

Mr. Jones recused himself and left the room.

- **Initial Decision – Jeremiah Ray Blomberg, Motor Vehicle Salesperson License #184619** – Motion was made to accept the Findings of Fact, Conclusions of Law, set aside the hearing officer’s recommendation and revoke the license – approved unanimously.
- **Initial Decision – Renato Olivares, Jr., Motor Vehicle Salesperson License #201258** – Motion was made to accept the Findings of Fact, Conclusions of Law, set aside the hearing officer’s recommendation and revoke the license – approved unanimously.

Mr. Jones returned to the room.

COMPLAINT INVESTIGATIONS REPORT

Ms. Hartman presented the following to the Board:

Statistical Reporting – Ms. Hartman informed the Board that we started with 230 cases, 210 new cases were opened and 142 cases were closed for the month, giving the Division a balance of 298 open cases. There were 392 background inquiries performed.

Affidavits of Probable Cause:

- **Drive N-Motion LTD, DL #43563** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Drive N-Motion LTD, Dealer #43563; 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 – approved unanimously.
- **Taylor Made Automotive, DL #43539** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Taylor Made Automotive, Dealer #43539; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits.
- **Emrakh Fadliyevich Gafurov, SP #192034** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Emrakh Fadliyevich Gafurov, Salesperson #192034; and that the Colorado Motor Vehicle Dealer Board summarily suspend his motor vehicle salesperson license in accordance with C.R.S. 24-4-104 as he has engaged in deliberate and willful acts and his conduct poses a threat to the public health, safety and welfare and that the case be assigned to the Colorado Department of Revenue Hearings Division for a hearing on its merits – approved unanimously.

Ms. Hartman informed the Board that she is currently working on last month's tabled matter in regard to Jose Alejandro Rivera-Segura, SP #198720, and plans to present the application next month.

New Business – None

Public Comment – None

The meeting of the Motor Vehicle Dealer Board was adjourned at 10:22 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
Acting Executive Secretary