

**MOTOR VEHICLE DEALER BOARD
MINUTES
February 18, 2025**

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

BOARD MEMBERS:

Charla Berens
Craig Fisher
Matthew Gebhardt
David Guttenberg
Michael Hatchett
Kevin Shaughnessy
Colin Wilhelm
Seth Wong

MEMBERS ABSENT:

Amanda Gordon

ACTING EXECUTIVE SECRETARY:

John Opeka

DEPT. OF REVENUE SBG/AID STAFF:

Frank Agos
Gloria Breeden
Joshua Dexter
Billy Maestas
John Bulman
Jeremy Scicluna
JC Williams
Cheryl Morrison
Lisa Garcia
Arleen Criddell Tapanen

ATTORNEY GENERAL'S OFFICE:

Sarah Killeen

VISITORS:

David Cardello, CIADA
Jackson Piggott, CADA
William DesPortes

1st Vice President, Kevin Shaughnessy, opened the meeting of February 18, 2025, at 9:05 a.m. Mr. Shaughnessy relinquished the floor to Acting Executive Secretary, John Opeka.

AGENDA REVIEW AND ANNOUNCEMENTS

Mr. Opeka stated 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.

Mr. Opeka introduced the Division's new criminal investigator, JC Williams.

MINUTES

The minutes of the December 17, 2024, meeting was approved unanimously.

BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

Dealer Applications:

- **Lamaki Cars #46906** - Motion to grant the license - approved unanimously.

ATTORNEY GENERAL'S REPORT

Ms. Killeen presented the following to the Board:

Board entered Executive Session at 9:25 a.m. to receive legal advice about the Anthony Calvillo matter and returned to Open Session at 10:02 a.m.

- **Proposed Stipulation and Final Agency Order - Anthony Calvillo Motor Vehicle Salesperson License #197082 BD23-0760** - Motion to accept the proposed Stipulation and Final Agency Order - Board rejected and asked the AG to make a counteroffer to Mr. Calvillo - passed unanimously.

Ms. Killeen recused herself, turned off her audio, video and left the meeting.

EXECUTIVE SECRETARY REPORT

Mr. Opeka presented the following to the Board:

- **Review Initial Decision Upon Default - Bob Scott RV's, Inc. Motor Vehicle Dealer License #45191** - Motion to accept the Findings of Fact, Conclusions of Law and \$250,000.00 fine - passed unanimously.
- **Review Initial Decision Upon Default - Internet Auto Brokers Used Motor Vehicle Dealer License #38759** - Motion to accept the Findings of Fact, Conclusions of Law, revoke the license and impose a \$3,650,000.00 fine and make an expressed finding of fraud so that the bond can be opened - passed unanimously.
- **Review Initial Decision and Determine Final Order - Ulises Nathaniel Gonzalez Salesperson License #212872** - Motion to accept the Findings of Fact, Principles of Law, set aside the hearing officer's recommendations and revoke the license as the respondent has been convicted of a mandatory disqualifying felony which precludes him from holding a salesperson license - passed unanimously.

Ms. Killeen returned to the meeting.

COMPLAINT INVESTIGATIONS REPORT

Mr. Opeka presented the following to the Board:

December Statistical Reporting - Mr. Opeka informed the Board that we started with 555 cases, 98 new cases were opened, and 121 cases were closed, giving the Division a balance of 528 open cases. There were 177 background inquiries performed.

January Statistical Reporting - Mr. Opeka informed the Board that we started with 528 cases, 99 new cases were opened, and 137 cases were closed, giving the Division a balance of 490 open cases. There were 216 background inquiries performed.

Affidavits of Probable Cause:

- **Brothers Auto, LLC, DL #43402** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Brothers Auto, LLC, Dealer License #43402; 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.
- **Gerards Automotive Group, LLC, DL #46590** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Gerards Automotive Group, LLC, Dealer License #46590; 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.

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.)

John P. Opeka
Acting Executive Secretary