

**MOTOR VEHICLE DEALER BOARD  
MINUTES  
March 15, 2022**

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

**BOARD MEMBERS:**

Carrie Ann Baumgart  
Kathleen Chandler  
Fletcher Flower  
Amanda Gordon  
Kevin Shaughnessy  
Teshome Tesfaye  
Luke Walch

**MEMBERS ABSENT:**

Charla Berens

**SENIOR DIRECTOR  
SPECIALIZED BUSINESS GROUP:**

Cory Amend

**EXECUTIVE SECRETARY:**

Chris Rouze

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

John Opeka  
Gloria Breeden  
Frank Agos  
Michael Calo  
Joshua Dexter  
Cheryl Morrison  
Erika Garcia  
Kyle Boyd  
Beth Spellerberg  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:**

Sarah Killeen

**VISITORS:**

David Cardella, CIADA  
Matthew Groves, CADA  
Art Erwin, Christopher's Dodge Ram, Inc.

1<sup>st</sup> Vice President, Carrie Baumgart, opened the meeting of March 15, 2022 at 9:00 a.m. Ms. Baumgart turned the floor over to Executive Secretary, Chris Rouze.

**AGENDA REVIEW AND ANNOUNCEMENTS**

Ms. Rouze informed the Board that there are no changes to the agenda as posted. Ms. Berens will not be in attendance today.

Ms. Rouze informed the Board that they will receive a presentation from the Budget team during the April meeting so they can formulate recommendations for fees for the next fiscal year.

Ms. Rouze informed the Board that the May 17, 2022 business meeting will be canceled.

Ms. Rouze informed the Board that stakeholder engagement surrounding delinquent child support obligations is completed and the Rulemaking Hearing will be held June 21, 2022.

**MINUTES**

The minutes of the February 15, 2022 meeting were approved unanimously.

**BACKGROUND INVESTIGATIONS REPORT**

Ms. Breeden presented the following to the Board:

**Salesperson Applications:**

- **Harrell, Ardinue #209895** - Motion to grant the license - passed unanimously.
- **Mavashev, Sosoon #181991** - Motion to grant the license - passed 5-1 (Mr. Walch opposed).

## EXECUTIVE SECRETARY REPORT

Ms. Rouze presented the following to the Board:

- **Proposed Stipulation and Final Agency Order - RNB Cars, Inc., #41110** - passed unanimously.
- **Initial Decision - Andrew James Wutke Motor Vehicle Salesperson License #192540** - Motion was made to accept the Findings of Fact, Conclusions of Law, set aside the recommended sanctions and revoke the license - passed unanimously.

## COMPLAINT INVESTIGATIONS REPORT

Mr. Opeka presented the following to the Board:

**Statistical Reporting** - Mr. Opeka informed the Board that we started with 313 cases, 103 new cases were opened and 111 cases were closed for the month, giving the Division a balance of 305 open cases. There were 246 background inquiries performed.

### Affidavit of Probable Cause:

- **American Auto Sales & Leasing, Inc., DL #3246** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to American Auto Sales & Leasing, Inc., Dealer License #3246; 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** - Mr. Walch asked if Carvana is permitted to sell vehicles on Sunday. Ms. Rouze stated that the statute says dealers are not allowed to keep their brick and mortar business open on Sunday. The Division will confer with the Attorney General's office and present their findings to the Board at next month's meeting.

**Public Comment** - None

The meeting of the Motor Vehicle Dealer Board was adjourned at 9:26 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