

**MOTOR VEHICLE DEALER BOARD  
MINUTES  
July 19, 2022**

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  
Amanda Gordon  
Kevin Shaughnessy

**MEMBERS ABSENT:**

Fletcher Flower  
Teshome Tesfaye

**SENIOR DIRECTOR, SBG**

Cory Amend

**EXECUTIVE SECRETARY:**

Chris Rouze

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

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

**ATTORNEY GENERAL'S OFFICE:**

Sarah Killeen

**VISITORS:**

Art Erwin, Christopher's Dodge  
Ram, Inc.  
David Cardella, CIADA  
Gary Sedillos

Executive Secretary, Chris Rouze, called the meeting of July 19, 2022, to order at 9:10 a.m.

Ms. Rouze stated that the Board currently has no President or Vice-Presidents. She further informed all in attendance of the following:

- Mr. John Linton left the Board when he changed employers a few months ago.
- Ms. Carrie Baumgart and Mr. Luke Walch's terms ended in June. Ms. Baumgart served two terms and Mr. Walch did not seek reappointment.

There is a provision in the state Constitution that allows incumbent members to continue their duties until they are reappointed or until their successors become qualified.

- Ms. Charla Berens is authorized to continue to serve on the Board until her reappointment by the Governor. Ms. Berens' term is extended until such appointment.

Ms. Rouze turned the floor over to Sr. Assistant Attorney General, Ms. Sarah Killeen, to conduct the statutorily required election of officers to the Board for fiscal year 2023.

Ms. Killeen stated that pursuant to section 44-20-104(2) C.R.S., Board officers shall be elected for President, 1<sup>st</sup> Vice-President and 2<sup>nd</sup> Vice-President each year during the month of July. Ms. Killeen explained the election process and conducted the elections.

The following Board officers were elected for fiscal year 2022-2023:

- Amanda Gordon - President
- Kevin Shaughnessy - 1<sup>st</sup> Vice President
- Kathleen Chandler - 2<sup>nd</sup> Vice President

Ms. Killeen turned the floor over to President, Amanda Gordon.

## **MINUTES**

The minutes of the June 21, 2022, meeting was approved 2-1 (Ms. Chandler abstained).

## **BACKGROUND INVESTIGATIONS REPORT**

Ms. Breeden presented the following to the Board:

### **Dealer Applications:**

- **Infinity Trailers, LLC #45553 - Motion to grant the license - Motion approved (3-0).**

- **JWG Auto Sales #45433** - Motion to grant the license - Motion approved (2-1). \*Ms. Charla Berens was a “No” vote.

## EXECUTIVE SECRETARY REPORT

Ms. Rouze presented the following to the Board:

- **Proposed Stipulation and Final Agency Order - Auto Pro Buys, #44390** - Motion to accept the Proposed Stipulation and Final Agency Order - passed unanimously.
- **Proposed Stipulation and Final Agency Order - Pikes Peak Automotive Group, LLC #42784** - Motion to accept the Proposed Stipulation and Final Agency Order - passed unanimously.

## COMPLAINT INVESTIGATIONS REPORT

Mr. Opeka presented the following to the Board:

**Statistical Reporting** - Mr. Opeka informed the Board that we ended May with 293 cases, 123 new cases were opened, and 122 cases were closed, giving the Division a balance of 294 open cases. There were 191 background inquiries performed.

### Affidavit of Probable Cause:

- **Beepz Auto Gallery, LLC, DL #44647** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Beepz Auto Gallery, LLC, Dealer License #44647; 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 (3-0).
- **Keith Price Auto Sales, LLC, DL #39490** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Keith Price Auto Sales, LLC, Dealer License #39490; 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 (3-0).

**Public Comment** - Mr. Cardella of CIADA congratulated the newly elected officers of the Board and thanked them for their service.

**New Business** - Ms. Chandler asked if there had been any new developments with Carvana.

Ms. Rouze stated that Carvana is licensed in Colorado.

The recent televised events regarding Carvana were related to sales that took place in Arizona and Texas, of which we have no jurisdiction and to do so would require statutory change, which could be addressed during the next legislative session.

The issue with Tesla regarding their self-driving feature was discussed and Tesla indicated that they remove this feature before sending to auction.

Mr. Shaughnessy stated that the issues with Tesla appear to be timing issues and that they are working to provide clarity.

The meeting of the Motor Vehicle Dealer Board was adjourned at 10:24 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