

**MOTOR VEHICLE DEALER BOARD  
MINUTES  
August 20, 2024**

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

**BOARD MEMBERS:**

Charla Berens  
Kathleen Chandler  
Fletcher Flower  
Matthew Gebhardt  
David Guttenberg  
Michael Hatchett (*via phone*)  
Kevin Shaughnessy  
Seth Wong

**MEMBERS ABSENT:**

Amanda Gordon

**EXECUTIVE SECRETARY:**

Chris Rouze

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

John Opeka  
Frank Agos  
Gloria Breeden  
Joshua Dexter  
Billy Maestas  
Frank Macias  
Tim Rotter  
Neal Robinson  
San Trieu  
David Peterson  
Jeremy Scicluna  
Lisa Garcia  
Kyle Boyd  
Jason Stern  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:**

Sarah Killeen

**VISITORS:**

Devin Saunders, CADA  
Angela Little

1<sup>st</sup> Vice President, Kevin Shaughnessy, opened the meeting of August 20, 2024, at 9:13 a.m. Mr. Shaughnessy relinquished the floor to Executive Secretary, Chris Rouze.

## **AGENDA REVIEW AND ANNOUNCEMENTS**

Ms. Rouze 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, Dan Carr.

Ms. Rouze introduced the new Criminal Investigators who have joined the Division. Mr. Jeremy Scicluna is in our Colorado Springs office and Mr. David Peterson is in our Lakewood office.

## **MINUTES**

The minutes of the July 16, 2024, meeting was approved 5-0-1 (Mr. Flower abstained).

## **BACKGROUND INVESTIGATIONS REPORT**

Ms. Breeden presented the following to the Board:

### **Dealer Applications:**

- **Denver Restaurant Equipment Corp. #46555** - Motion to deny the license based on unfitness of licensing character, unfitness of criminal character and unfitness of financial character - approved unanimously.
- **Eddie's Motors Inc. #46659** - Motion to table until financial statements are clarified - approved 5-1 (Mr. Guttenberg opposed).
- **Rex Kennedy Enterprises, Inc. d/b/a KC Auto Sales #46692** - Motion to grant the license - approved 5-1 (Ms. Berens opposed).
- **T-Rex Auto Sport Vehicles, LLC #46476** - Motion to deny the license based on incomplete application - approved unanimously.

### **Salesperson Applications:**

- **Larson, Bryttany Vesta Lea #213188** - Motion to grant the license - approved unanimously.

Ms. Berens asked if a determination had been made about the Board being subject to HB24-1004 Ex-Offenders Practice in Regulated Occupations.

Ms. Killeen stated that this bill was originally drafted for the Department of Regulatory Affairs (DORA) under Title 12, and it is unclear if the bill applies to the Board's organic statute under Title 44. Generally, this bill would not affect any consideration based on mandatory disqualifying convictions.

Ms. Rouze stated that the intent of the law regarding this bill is extensive and must be researched. There is a funding mechanism attached when new laws are going to have an administrative burden. The Division was not solicited for a response to this bill, but DORA did get an appropriation for the bill. Research is ongoing regarding the impact the bill may have on the Board and there will be further discussions on the matter when there is information to communicate to the Board.

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

### **EXECUTIVE SECRETARY REPORT**

Ms. Rouze presented the following to the Board:

- **Filing of Exceptions in a Disciplinary Action**  
**Robert Joseph Finnigan**  
**Salesperson License #21274** – An Exceptions hearing will be held regarding this matter during an upcoming regularly scheduled meeting.
- **Filing of an Appeal Upon Denial of Application**  
**Prime Automotive, LLC**  
**Used Motor Vehicle Dealer License Applicant #46592** – A motion was made to have the Motor Vehicle Dealer Board conduct the Denial of Application hearing during an upcoming regularly scheduled meeting - passed unanimously.

A motion was made to delegate authority to the Board's president to sign and issue procedural documents regarding this matter on behalf of the Board - 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 575 cases, 97 new cases were opened, and 94 cases were closed, giving the Division a balance of 578 open cases. There were 189 background inquiries performed.

**Affidavits of Probable Cause:**

- **Car Choice, LLC, DL #44205** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Car Choice, LLC, Dealer License #44205; 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.
- **Colorado Auto Finders, DL #35942** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Colorado Auto Finders, Dealer License #35942; 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.
- **Gojo Auto, DL #44311** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Gojo Auto, Dealer License #44311; 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.
- **MDC Campers and Caravans, DL #45699** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to MDC Campers and Caravans, Dealer License #45699; 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.
- **United Best Buy, LLC, DL #39832** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to United Best Buy, LLC, Dealer License #39832; and that the Colorado Motor Vehicle Dealer Board summarily suspend the motor vehicle dealer license in accordance with C.R.S. 24-4-104 as they have engaged in deliberate and willful acts and that the case be assigned to the Office of Administrative Courts for a hearing - passed unanimously.
- **Ulises Nathaniel Gonzalez, SL #212872** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Ulises Nathaniel Gonzalez, Salesperson License #212872; and that the Colorado Motor Vehicle Dealer Board summarily suspend his motor vehicle salesperson's license in accordance with C.R.S. 24-4-104 as he has engaged in deliberate and willful acts, his conduct poses a threat to the public health, safety and welfare and he has been convicted of a mandatory disqualifying felony, which precludes him from holding a salesperson license - passed unanimously.

**New Business - None**

**Public Comment - None**

The meeting of the Motor Vehicle Dealer Board was adjourned at 10:12 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