

**MOTOR VEHICLE DEALER BOARD
MINUTES
October 21, 2025**

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

BOARD MEMBERS:

Craig Fisher
Matthew Gebhardt
Amanda Gordon
David Guttenberg
Michael Hatchett
Seth Wong

MEMBERS ABSENT:

Kevin Shaughnessy
Colin Wilhelm

EXECUTIVE SECRETARY:

John Opeka

DEPT. OF REVENUE SBG/AID STAFF:

Frank Agos
Gloria Breeden
Joshua Dexter
Billy Maestas
Neal Robinson
Tim Rotter
Rob Urbach
James Osborn
San Trieu
Jeremy Scicluna
Lisa Garcia
Cheryl Morrison
Arleen Criddell Tapanen

ATTORNEY GENERAL'S OFFICE:

Sarah Killeen
Angela Little
Sarah Bomgardner

VISITORS:

Michael McKinnon
David Cardella
Art Irwin
Julian M

President, Amanda Gordon, opened the meeting of October 21, 2025, at 9:00 a.m. Ms. Gordon relinquished the floor to Executive Secretary, John Opeka.

AGENDA REVIEW AND ANNOUNCEMENTS

Mr. Opeka stated that meetings of the Colorado Motor Vehicle Dealer Board are open 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 open records to the Division's public information officer.

An Exceptions hearing will be held today at 9:30 a.m.

MINUTES

The minutes of August 19, 2025, and September 30, 2025, meetings were approved unanimously.

BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

Dealer Applications:

- **Dealers Auto Auction of the Rockies #8481** - Motion to grant the license - approved 4-0-1 (Mr. Gebhardt recused).
- **Gold Rush Automotive #47181** - Motion to deny the license based on unfitness of financial character - approved unanimously.
- **H & M Motors #47144** - Motion to grant the license - approved unanimously.
- **R-Rod Auto Finders #46640** - Motion to deny the license based on unfitness of financial character - approved unanimously.

Salesperson Application:

- **Calabrese Nunez, Miguel Angel #217884** - Motion to deny the license based on unfitness of criminal character and having been convicted of a misdemeanor under title 18 or any felony - approved unanimously.

The Board began the Exceptions hearing for Farid Zarasvand.

REVIEW OF INITIAL DECISION UPON FILING OF EXCEPTIONS

Case #BD 24-1004 Farid Zarasvand, License #120147

Michael G. McKinnon, Esq., appears on behalf of Respondent

Sarah Killeen, Assistant Attorney General, appears on behalf of the State

Oral arguments were heard pursuant to the Exceptions process.

A motion was made to enter Executive session to receive legal advice and ask legal questions regarding the Farid Zarasvand matter.

The Board returned to Open session at 10:07 a.m.

After Board deliberation, a motion was made to set aside the Finding that Respondent did not file an answer and adopt the remaining Initial Decision's Findings of Fact, the Conclusions of Law and order Respondent's license be suspended for three (3) months, followed by a twelve (12)-month probationary period with the condition Respondent has successfully complied with the terms of his criminal probation and there are no further salesperson license violations. In addition, a fine of \$2500.00 is imposed and is to be paid in full before the suspension is lifted - passed 4-1 (Mr. Hatchett opposed).

A motion was made to have Adjudicatory council draft the final order for the Board's approval at next month's meeting - passed unanimously.

The Board took a 10-minute break. The regular business meeting resumed.

ATTORNEY GENERAL'S REPORT

Ms. Killeen presented the following to the Board:

- **Proposed Stipulation and Final Agency Order - Auto Integrity Motor Vehicle Dealer License #3479**
BD23-1178 - Motion to accept the Stipulation and Final Agency Order - approved unanimously.
- **Proposed Stipulation and Final Agency Order - Summers Rocky Mountain Motors, Inc. Motor Vehicle Dealer License #38951**
BD20-0578 - Motion to accept the Stipulation and Final Agency Order - approved unanimously.
- **Proposed Stipulation and Final Agency Order - Gerards Automotive Group, LLC Motor Vehicle Dealer License #46590**
BD24-1399 - Motion to accept the Stipulation and Final Agency Order - approved unanimously.

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

EXECUTIVE SECRETARY REPORT

Mr. Opeka presented the following to the Board:

- **Review of Initial Decision and Determine the Final Order**
Adam John LaGrange
Motor Vehicle Salesperson License #187138 - Motion to accept the Findings of Fact, Conclusions of Law, impose a \$1500 fine and issue a conditional license with the standard terms and conditions for a 12-month probationary period - passed unanimously.

Ms. Killeen returned to the meeting.

COMPLAINT INVESTIGATIONS REPORT

Mr. Agos presented the following to the Board:

August Statistical Reporting - Mr. Agos informed the Board that we started with 422 cases, 138 new cases were opened, and 129 cases were closed, giving the Division a balance of 431 open cases. There were 299 background inquiries performed.

September Statistical Reporting - Mr. Agos informed the Board that we started with 431 cases, 124 new cases were opened, and 132 cases were closed, giving the Division a balance of 423 open cases. There were 267 background inquiries performed.

Affidavit of Probable Cause:

- **Arapahoe Hyundai, DL #44188** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Arapahoe Hyundai, Dealer License #44188; 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.

Mr. Guttenberg recused himself, turned off the audio, video and left the meeting.

- **Automotive Imports, DL #39489** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Automotive Imports, Dealer License #39489; 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.

Mr. Guttenberg returned to the meeting.

- **Ditch Witch of the Rockies, DL #44041** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Ditch Witch of the Rockies, Dealer License #44041; 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.
- **Enterprise Rent A Car, DL #41288** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Enterprise Rent A Car, Dealer License #41288; 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.
- **Jeffco Auto Care, DL #46723** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Jeffco Auto Care, Dealer License #46723; 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.
- **McCloskey Isuzu, DL #4215** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to McCloskey Isuzu, Dealer License #4215; 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.
- **Mister Auto, DL #35860** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Mister Auto, Dealer License #35860; 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.

Mr. Guttenberg recused himself, turned off the audio, video and left the meeting.

- **Cameron Powell, SL #199133** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Cameron Powell, Salesperson License #199133; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.

Mr. Guttenberg returned to the meeting.

- **Phillip Andrew Fry, SL #195475** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Phillip Andrew Fry, Salesperson License #195475; 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.

- **Phuc Minh Nguyen, SL #216448** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Phuc Minh Nguyen, Salesperson License #216448; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.

New Business - Mr. Opeka informed the Board that rulemaking stakeholder meetings will begin soon.

Mr. Opeka suggested Board members review the stipulation matrix found in their monthly packet and, during an upcoming regularly scheduled Board meeting, discuss whether it is still appropriate as it is.

In addition, discuss contacting industry stakeholders about possibly updating the Delegation of Authority regarding requirements for applicants' net worth and credit report information. These discussion items will be added to upcoming meeting agendas.

Executive Secretary Opeka stated that the Motor Vehicle Dealer Board will now take public comments. We welcome you here and thank you for your time and concerns. If you raise your hand now, Ms. Criddell Tapanen will move you over as a panelist and we will let you know when you have been unmuted and may speak. Please turn on your video, state your name and then you may address the Board. The Board may or may not respond to your comments. Personal attacks against Board members, employees of the Auto Industry Division, or meeting presenters will not be tolerated. Please refrain from discussing specific complaints about licensees or alleged violations of licensees. The Board acts in a quasi-judicial capacity and these types of discussions are not appropriate for public comments. Failure to comply may result in your being muted.

Public Comment - None

The meeting of the Motor Vehicle Dealer Board was adjourned at 10:41 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
Executive Secretary