

**MOTOR VEHICLE DEALER BOARD
MINUTES
November 19, 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
Fletcher Flower
Matthew Gebhardt
Amanda Gordon
David Guttenberg
Michael Hatchett
Seth Wong

MEMBERS ABSENT:

Kathleen Chandler
Kevin Shaughnessy

EXECUTIVE SECRETARY:

Chris Rouze

DEPT. OF REVENUE SBG/AID STAFF:

John Opeka
Frank Agos
Gloria Breedon
Joshua Dexter
Billy Maestas
Frank Macias
Rob Urbach
Lisa Garcia
Cheryl Morrison
Jason Stern
Arleen Criddell Tapanen

ATTORNEY GENERAL'S OFFICE:

Sarah Killeen

VISITORS:

David Cardello, CIADA

President, Amanda Gordon, opened the meeting of November 19, 2024, at 9:01 a.m. Ms. Gordon 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.

Ms. Rouze informed the Board that Ms. Chandler and Mr. Shaughnessy will not be in attendance today.

MINUTES

The minutes of the October 15, 2024, meeting was approved unanimously.

BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

Dealer Applications:

- **All Access Wholesale Group #46737** - Motion to grant the license - approved 5-1 (Ms. Berens opposed).

Salesperson Application:

- **John Richard Fischer, Jr. #169522** - Motion to deny the license based on unfitness of criminal character - approved unanimously.

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

EXECUTIVE SECRETARY REPORT

Ms. Rouze presented the following to the Board:

- **Initial Decision - Jorge Andres Hernandez Garcia Salesperson License Applicant #212529** - Motion to accept the Findings of Fact, Conclusions of Law uphold the recommended ruling and deny the license - approved unanimously.

- **Bish's RV - Request to Apply for a Temporary Out-of-State Dealer License pursuant to 44-20-109** - Approved 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 595 cases, 113 new cases were opened, and 123 cases were closed, giving the Division a balance of 585 open cases. There were 334 background inquiries performed.

Affidavits of Probable Cause:

- **Alpine Ford, LLC, DL #45256** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Alpine Ford, LLC, Dealer License #45256; 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.
- **Elite Motorsports, DL #44280** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Elite Motorsports, Dealer License #44280; 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.
- **Elite Motorsports, DL #44281** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Elite Motorsports, Dealer License #44281; 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.
- **Hortencia Tizcareno, SL #172725** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Hortencia Tizcareno, Salesperson License #172725; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.

- **Farid Zarasvand, SL #120147** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Farid Zarasvand, Salesperson License #120147; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.

New Business - None

Public Comment - Mr. Cardello of CIADA inquired if the Associations could participate during the Board discussions regarding the review and possible revision of their current guidelines for processing applications for licensure.

Executive Secretary Rouze stated that she will consult with the Board about holding stakeholder meetings with CADA and CIADA to obtain their input about proposed revisions to the Board's Guidelines of Administration after the first of the year.

Mr. Cardello also inquired if in-person meetings will resume in the future and that the conference room at CIADA's facility is available for use.

Ms. Rouze stated that there are challenges regarding space since the Division's footprint was reduced and that she will investigate further.

The meeting of the Motor Vehicle Dealer Board was adjourned at 9:58 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