

**MOTOR VEHICLE DEALER BOARD  
MINUTES  
December 19, 2023**

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  
Amanda Gordon  
David Guttenberg  
Kevin Shaughnessy  
Seth Wong

**MEMBERS ABSENT:**

Matthew Gebhardt

**SENIOR DIRECTOR OF SBG:**

Michael Phibbs

**EXECUTIVE SECRETARY:**

Chris Rouze

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

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

**ATTORNEY GENERAL'S OFFICE:**

Sarah Killeen

**VISITORS:**

Robert Dodd  
Devin Saunders  
Art Erwin  
David Cardella

President, Amanda Gordon, opened the meeting of December 19, 2023, at 9:00 a.m. Ms. Gordon turned the floor over 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, Shannon Gray.

Ms. Rouze informed the Board that Mr. Gebhardt will not be in attendance today.

## MINUTES

The minutes of the November 19, 2023, meeting was approved.

## ATTORNEY GENERAL REPORT

Ms. Killeen presented the following to the Board:

- **Proposed Stipulation and Final Agency Order - United Best Buy, Motor Vehicle Dealer License #39832** - Motion to accept the proposed Stipulation and Final Agency Order - passed unanimously.

## EXECUTIVE SECRETARY REPORT

Ms. Rouze presented the following to the Board:

- **Initial Decision - Sergio Angelo Ramirez, Motor Vehicle Salesperson License #185490** - Motion was made to accept the Findings of Fact, Conclusions of Law, set aside the hearing officer's recommendation and revoke the license as the respondent has a mandatory disqualifying conviction, which precludes him from holding a salesperson license - passed unanimously.

## BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

### Dealer Applications:

- **Carmart #39342** - Motion was made to grant the license - passed unanimously.

- **DJR Auto #46246** - Motion was made to grant the license - passed unanimously.

A motion was made to set aside the previous vote and revisit the issue - passed unanimously.

A motion was made to grant the license - passed unanimously.

- **Pony Up Automotive #46274** - Motion was made to grant the license - passed unanimously.
- **Ramirez Truck and Trailer Repair #46119** - Motion was made to grant 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 483 cases, 114 new cases were opened, and 116 cases were closed, giving the Division a balance of 481 open cases. There were 357 background inquiries performed.

### Affidavits of Probable Cause:

- **Foundation Chevrolet, DL #44757** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Foundation Chevrolet, Dealer License #44757; 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.
- **Foundation Hyundai, DL #45074** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Foundation Hyundai, Dealer License #45074; 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.
- **Truck Town Motors, LLC, DL #41075** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Truck Town Motors, LLC, Dealer License #41075; 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 their conduct poses a threat to the public health, safety and welfare - passed unanimously.

- **Jose Luis Tizcareno, SL #174351** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Jose Luis Tizcareno, Salesperson License #174351; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits - passed unanimously.

**Public Comment** - None

**New Business** - None

The meeting of the Motor Vehicle Dealer Board was adjourned at 9:34 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