

**MOTOR VEHICLE DEALER BOARD  
MINUTES  
December 21, 2021**

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

**BOARD MEMBERS:**

Carrie Ann Baumgart  
Charla Berens  
Kathleen Chandler  
Fletcher Flower  
Amanda Gordon  
John Linton  
Kevin Shaughnessy  
Teshome Tesfaye  
Luke Walch

**SENIOR DIRECTOR OF THE SPECIALIZED  
BUSINESS GROUP:**

Cory Amend

**EXECUTIVE SECRETARY:**

Chris Rouze

**DEPT OF REVENUE,  
AID, ENFORCEMENT  
DIVISION STAFF:**

John Opeka  
Gloria Breeden  
Frank Agos  
Joshua Dexter  
Michael Calo  
James Osborn  
Dale Sundeen  
Billy Maestas  
Cheryl Morrison  
Erika Garcia  
Kyle Boyd  
Suzi Karrer  
Beth Spellerberg  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:**

Sarah Killeen

**VISITORS:**

Art Erwin, Christopher's Dodge Ram, Inc.  
 David Cardella, CIADA  
 Matthew Groves, CADA  
 Landon Gates, PDAC

President, John Linton, opened the meeting of November 16, 2021 at 9:01 a.m.  
 Mr. Linton turned the floor over to Executive Secretary, Chris Rouze.

**AGENDA REVIEW AND ANNOUNCEMENTS**

Ms. Rouze informed the Board that there are no changes to the agenda as posted. Ms. Rouze informed the Board that on November 19, 2021, the Governor appointed Teshome Tesfaye as the new board member to fill the remainder of Ms. Bode's term as a Used Motor Vehicle Dealer.

Ms. Rouze informed the Board that there will be a Rulemaking Hearing next month regarding Advertising Rule #3, which is not part of our annual rulemaking agenda.

Ms. Rouze introduced the Division's new Investigative Supervisor, Michael Calo.

**MINUTES**

The minutes of the November 16, 2021 meeting were approved 5-0-2 (Ms. Gordon and Mr. Walch abstained).

**BACKGROUND INVESTIGATIONS REPORT**

Ms. Breeden presented the following to the Board:

**Salesperson Applications:**

- **Knoll, Robert George #183085** - Motion to grant the license - passed unanimously.
- **Quoetone, Burley Jack #209101** - Motion to grant the license - passed unanimously.

**EXECUTIVE SECRETARY REPORT**

Ms. Rouze presented the following to the Board:

- **Proposed Stipulation and Final Agency Order - Neighborhood Auto Brokers LLC #43547** - Motion to accept the Proposed Stipulation and Final Agency Order - passed unanimously.

- **Proposed Stipulation and Final Agency Order - Tracker Boat Center #42258** - Motion to accept the Proposed Stipulation and Final Agency Order - passed unanimously.

New board member, Mr. Tesfaye of Norfolk Motors joined the meeting and introduced himself.

Ms. Killeen recused herself and left the meeting.

- **Initial Decision - Allan Castilhos Fantinelli, Motor Vehicle Salesperson License #207819** - Motion was made to accept the Findings of Fact, Conclusions of Law and to uphold the hearing officer's recommendation and deny the license - passed unanimously.
- **Initial Decision - Michael Adedoyin Oweyo, Motor Vehicle Salesperson License #198004** - Motion was made to accept the Findings of Fact, Conclusions of Law, set aside the hearing officer's recommendation and impose a fine of \$1000.00, \$100.00 due and payable immediately with the remaining balance of \$900.00 in abeyance subject to a satisfactory completion of a probationary period of one year - passed unanimously.

Ms. Killeen returned to the meeting.

## **ATTORNEY GENERAL'S REPORT**

Ms. Killeen presented the following to the Board:

- **Proposed Stipulation and Final Agency Order - Marlon Monzon #158070** - Motion to accept the Proposed Stipulation and Final Agency Order - passed unanimously.

## **COMPLAINT INVESTIGATIONS REPORT**

Mr. Agos presented the following to the Board:

**Statistical Reporting** - Mr. Agos informed the Board that we started with 290 cases, 91 new cases were opened and 92 cases were closed for the month, giving the Division a balance of 289 open cases. There were 294 background inquiries performed.

### **Affidavit of Probable Cause:**

- **Carnelian Auto, DL #44650** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Carnelian Auto, Dealer License #44650; 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 and that the Colorado Motor Vehicle Dealer Board summarily suspend their motor vehicle dealer's license in accordance with C.R.S. 24-4-104 as they have engaged in

deliberate and willful acts, their conduct poses a threat to the public health, safety and welfare - passed unanimously.

- **New Wave Auto Brokers and Sales, DL #43910** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to New Wave Auto Brokers and Sales, Dealer License #43910; 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.
- **Nissan of Durango, DL #43522** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Nissan of Durango, Dealer License #43522; 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.
- **Uridil Foreign Cars, DL #8189** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Uridil Foreign Cars, Dealer License #8189; and that the case be assigned to the Office of Administrative Courts for a hearing before an Administrative Law Judge as the license was administratively inactivated as the dealer no longer has a place of business.
- **Joshua Kenneth Troxell, SL #151041** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Joshua Kenneth Troxell, Salesperson License #151041; 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.
- **Lawrence Lee Esquivel, Jr., SL #151446** - Motion that the Board find probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Lawrence Lee Esquivel, Jr., Salesperson License #151446; 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. Walch asked about correct licensing for Sprinter Vans. Ms. Rouze suggested applicant contact Ms. Breeden.

Mr. Shaughnessy asked about rulemaking surrounding advertising on the supply chain disruption and wondered if it would also center around dealer's ability to advertise on inbound units for manufacturers that are in transit but not yet delivered. Ms. Rouze said the Board members would be receiving the proposed language for next month's meetings or they could go directly to our website and would be able to listen to stakeholders' meetings.

Mr. Shaughnessy also asked if there had been any discussion about consignment sales particularly around larger national companies? The Auto Industry is not aware of this issue.

**Public Comment** - Dave Cardella of CIADA welcomed new Board member, Mr. Tesfaye and thanked all the members for the work they do on the Board.

The meeting of the Motor Vehicle Dealer Board was adjourned at 9:52 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