

**MOTOR VEHICLE DEALER BOARD
STATE OF COLORADO**

CASE NUMBER: BD 24-1004

IN THE MATTER OF:

**FARID PAUL ZARASVAND,
Motor Vehicle Salesperson License # 120147,**

Respondent.

FINAL BOARD ORDER

This license discipline matter came before the Colorado Motor Vehicle Dealer Board to review the Initial Decision issued by the Department of Revenue's Hearing Officer and duly served upon the parties. The Initial Decision is attached as Exhibit 1 and is incorporated as set forth herein.

Respondent timely filed exceptions to the Initial Decision. The Auto Industry Division filed a response. The Board considered oral arguments presented by the parties and the record as a whole, including the Initial Decision and exceptions briefing. Pursuant to §§ 24-4-105 and 44-20-104, C.R.S., the Board adopts and incorporates the Initial Decision into this Final Board Order and orders that Respondent's license is suspended for three (3) months, and thereafter on probation for twelve (12) months, and fined \$2,500 for violations of §§ 44-20-121(6)(h) and 44-20-121(7)(b), C.R.S.

I. DISCUSSION

A. Findings of Fact and Conclusions of Law

On exceptions, Respondent challenges one finding in the Initial Decision. The Hearing Officer found that Respondent did not file an answer to the Division's administrative complaint, but Respondent argues that he did. He provided a copy of an answer to the Board with his exceptions brief. He also asks the Board to adopt the discipline imposed on his license by the Hearing Officer, consisting of a twelve-month probation and a \$500 fine. As to the challenged finding, the Division agrees with Respondent that he did file an answer in the underlying proceeding. However, the Division disagrees that the license discipline recommended by the Hearing Officer is adequate, arguing that Respondent's lack of rehabilitation has been established and the Board is authorized to and should impose a more serious sanction.

The only challenged finding relates to the procedural history of the case rather than any historical fact. On reviewing the administrative record, the Board notes that no answer was included in the record provided by the Hearing Officer. However, both parties agree that an answer was in fact filed, and the other pleadings in the record demonstrate that Respondent, through counsel, timely reported his criminal conviction to the Division and was actively engaged in defending his license up to and including the hearing. Accordingly, the Board sets aside the Hearing Officer's procedural finding that Respondent failed to file an answer to the notice of charges in this case. See Initial Decision, Statement of the

Case at p. 1 & Analysis ¶ 37.

B. Sanction

The Board next considers the license discipline appropriate for the two violations established by the Initial Decision and not challenged by Respondent's exceptions. The Board may suspend or revoke a motor vehicle salesperson's license for a single violation of § 44-20-121(6) or of § 44-20-121(7), and it may impose a fine of up to \$10,000 for each separate offense. §§ 44-20-104(3)(e), (m). In deciding the final discipline for violations of license law, the Board has great discretion. *See* §§ 44-20-104(3)(e), 44-20-121(6), 44-20-121(7); 1 Code Colo. Regs. 205-1, Regulation 44-20-104(4); *see also Davis v. Bd. of Psychologist Exam'rs*, 791 P.2d 1198, 1202 (Colo. App. 1989). The Board exercises its authority consistent with the mission of protecting consumers through its licensing and supervision of motor vehicle salespersons. § 44-20-101(1).

The Board acknowledges that Respondent has held a license for more than three decades without any previous license discipline. It also notes that Respondent takes responsibility for his actions and was found to be credible by the Hearing Officer. Initial Decision, Findings of Fact ¶ 17 & Analysis ¶ 32. However, despite the relatively light criminal sentence imposed in connection with Respondent's felony conviction, the Board cannot overlook the severity of the deceptive conduct that gave rise to it or the fact that it occurred in the context of Respondent's employment as a licensed salesperson. Initial Decision, Findings of Fact ¶¶ 9, 17. Respondent's conduct falls far short of the integrity the Board expects of its

licensees. *See generally* § 44-20-101(1)(a). Respondent's criminal conduct is also recent, occurring in 2024. Under these circumstances, the Division established Respondent's lack of rehabilitation. *See Bartlett v. Colo. Real Estate Comm'n*, 272 P.3d 1099, 1103 (Colo. App. 2011). Further, Respondent is still employed at the dealership where the license law violations occurred. Though consumer harm did not result, Respondent acknowledged that the pressures associated with his work environment contributed to his criminal conduct. *See* Initial Decision, Findings of Fact ¶17.

For these reasons, the Board determines that a modest fine, a three-month suspension, and a twelve-month probation are the appropriate sanction for Respondent, and collectively will ensure that he presents no danger to the public.

C. Respondent's Subsequent Motion

The Board deliberated on Respondent's exceptions at its public meeting on October 21, 2025. On November 11, 2025, Respondent filed a Motion to Vacate or Reconsider Final Order or Alternatively Stay Final Order Pending Appeal, informing the Board that on October 22, 2025, Respondent's criminal probation had been terminated and his guilty plea withdrawn. The Division opposes the Motion and urges the Board to deny Respondent's requests. The Board recognizes that Respondent's criminal status changed, but not until after the Board had completed its scheduled review and made its final decision. The Board denies Respondent's Motion, but to afford Respondent a full opportunity to seek judicial review and relief from the Court of Appeals, the Board will delay imposition of Respondent's

suspension.

II. ORDER

Subject to the modification and discussion above, the Board adopts the Findings of Fact and Conclusions of Law from the Initial Decision, and orders that Respondent's motor vehicle salesperson license is:

- (1) Suspended for a period of three (3) months, which suspension will take effect sixty (60) days from the date of this Order;
- (2) Fined in the amount of \$2,500 (two thousand five hundred dollars), due ninety (90) days from the date this Order, which must be paid in full before Respondent's license suspension terminates; and
- (3) License probation for a period of twelve (12) months, effective upon completion of the suspension period, during which Respondent must remain compliant with all remaining terms of his criminal sentence, if any, and refrain from violating license law applicable to motor vehicle salespersons.

DONE and ORDERED this 16th day of December, 2025.

MOTOR VEHICLE DEALER BOARD



Amanda Gordon, President

This decision becomes final upon mailing. Any party adversely affected or aggrieved by any agency action may commence an action for judicial review before the Court of Appeals within forty-nine (49) days after the date of the service of this order. §§ 44-20-122(5) and 24-4-106(11), C.R.S.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this **FINAL BOARD ORDER** was served on the following parties via United States Mail, first class, postage prepaid, this 17th day of December, 2025, and with courtesy copies by electronic mail to the electronic mail addresses as follows:

Licensee:



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Lisa Garcia, Legal Assistant
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