

# MOTOR VEHICLE DEALER BOARD MINUTES

**June 20, 2017**

The regular meeting of the Dealer Board was held at the Department of Revenue offices, Lakewood, Colorado. The following persons were present:

**BOARD MEMBERS:**

Robert Endter  
Joseph Gebhardt  
Lucky Heggs  
Stan Martin  
Steven Perkins  
Dominic Scrivner

**MEMBERS ABSENT:**

Justin Franks  
Michael Jorgensen  
Chris Langley

**SENIOR DIRECTOR OF ENFORCEMENT:**

Ron Kammerzell

**EXECUTIVE SECRETARY:**

Bruce Zulauf

**LEGAL ASSISTANT:**

Leland Bebee

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

Chris Rouze  
Chris Hartman  
Gloria Breedon  
John Opeka  
Cheryl Morrison  
Erica Garcia  
Eric Teklu  
Annamarie Steenbock  
Myia Gilkey-Grays  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:  
VISITORS:**

Brad Jones  
  
Jacquelyn Gebhardt  
Y.E. Scott, OAG  
Eric Hartsough, Dealer Services  
Todd O'Connell, CIADA  
Tim Jackson, CADA  
Tammi McCoy, CADA  
Art Erwin, Christopher's Dodge World  
Shawn Yoxay, Solon Auto, LLC

President, Joe Gebhardt, opened the meeting of June 20, 2017 at 9:06 a.m. Mr. Gebhardt turned the floor over to Executive Secretary, Bruce Zulauf.

## **AGENDA REVIEW AND ANNOUNCEMENTS**

Mr. Zulauf informed the Board there were no changes to the agenda as posted. Messrs. Franks, Jorgensen and Langley will not be in attendance today. Mr. Brad Jones, of the Attorney General's office, is the new general counsel for the Board. The Executive Director signed the revised fee schedule adopted by the Board, which now includes the fee for fingerprinting. The revised fee schedule has been posted to the website. The target date for implementing the fingerprinting process is September 1.

## **CALENDAR**

Rulemaking – Full day – Thursday, July 27<sup>th</sup>

Mr. Zulauf announced that Ms. Tammi McCoy, CADA, has announced that she will be leaving CADA the end of June. He thanked her for her positive interaction with the Division during here time with CADA.

Mr. Zulauf announced that Board members, Mr. Justin Franks and Mr. Robert Endter, will vacate their seats at the end of their terms and have decided not to reapply. Mr. Gebhardt, Board president, will be vacating his seat on the Board after serving two terms. Mr. Zulauf presented plaques to all in recognition of service on the Board and to the citizens of Colorado.

## **MINUTES**

The minutes of the May 16, 2017 meeting were approved unanimously.

## **BACKGROUND INVESTIGATIONS TEAM**

Ms. Breeden presented the following to the Board:

### **Dealer Applications:**

- **Driven to Donate #43751** – Application was not presented.
- **Kollman Auto Sales #43781** – Motion to grant the license – approved unanimously.
- **Hiebo, LLC #43760** – Motion to deny based on incomplete application – approved unanimously.
- **House of Kars #43912** – Motion to grant the license – approved 4-1 (Scrivner opposed).
- **Jambo Auto Sales, LLP #41376** – Motion to table for 30 days – approved unanimously.
- **Mile High Auto Brokers, LLC #43862** – Motion to grant the license – approved 4-1 (Perkins opposed).
- **Perfect Image Auto Solutions #43884** – Motion to grant the license – approved 4-1 (Scrivner opposed).
- **Security Motors, LLC #43868** – Motion to deny based on unfitness of financial character – approved 4-1 (Perkins opposed).
- **Sky 1 United Auto, LLC #43818** – Motion to deny based on unfitness of financial character – approved 4-1 (Perkins opposed).
- **Techsource, LLC #43872** – Motion to grant the license – approved unanimously.

- **Solid Rides #43880** – Motion to grant the license – approved unanimously.

Mr. Jones advised the Board to discuss credit scores but abstain from disclosing specific scores. Mr. Zulauf reminded the Board that they actually determined the agency and the credit score guideline to be used. Mr. Zulauf suggested the Board discuss changes they may be entertaining regarding this subject at a future meeting.

#### **Salesperson Applications:**

- **Deji, Bradley Youn Sul #30852** – Motion to deny the license based on unfitness of financial character, unfitness of criminal character, and having been convicted of a misdemeanor under title 18 or any felony – approved unanimously.
- **Herch, Brad Allen #196726** – 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.
- **Maaliki, Omar Rachid #171227** – Motion to grant the license – approved unanimously.
- **Nunn, Tricia Ann #182074** – Motion to grant a conditional license based upon applicant providing the standard letter from the employing dealer which includes the normal terms and conditions – approved unanimously.

Board took a 10 min. break.

#### **EXECUTIVE SECRETARY’S REPORT**

Mr. Zulauf presented the following to the Board:

- **Proposed Stipulation and Final Agency Order – Internet Auto Brokers, Dealer #38759** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Rebecca L. Bruntz, Salesperson #162012** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Spradley Barr Ford Lincoln of Greeley, Inc., Dealer #40027** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – H M Brown and Associates, Dealer #41489** – Motion to table for additional information – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Crescent Auto Sales, Inc., Dealer #3198** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Angels Auto 2, LLC., Dealer #43126** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Colorados Car Connection LLC., Dealer #43149** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.

#### **INVESTIGATIONS REPORT**

Ms. Rouze presented the following to the Board:

**Statistical Reporting** – Ms. Rouze informed the Board that we started with 281 cases, 190 new cases were opened and 182 cases were closed for the month, giving the Division a balance of 289 open cases. There were 381 background inquiries performed.

**Affidavits of Probable Cause:**

- **Balboa Autos, DL #42518** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Balboa Autos, Dealer #42518; and that the Colorado Motor Vehicle Dealer Board summarily suspend the motor vehicle dealer’s 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 – approved unanimously.
- **Smith, Vivian G., SP #126466** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Smith, Vivian G., Salesperson #126466; and that the case be assigned to the Colorado Department of Revenue Hearings Division for a hearing on the merits – approved unanimously.
- **Hobeiter, Jason, SP #178400** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Hobeiter, Jason, Salesperson #178400; 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 and his conduct poses a threat to the public health, safety and welfare – approved unanimously.

A motion was made for Delegation of Authority to be granted to the Executive Secretary to sign the Summary Suspension Order pertaining to Balboa Autos – passed unanimously.

A motion was made for Delegation of Authority to be granted to the Executive Secretary to sign the Summary Suspension Order pertaining to Jason Hobeiter – passed unanimously.

Mr. Jones informed the Board that an attorney will be assigned to handle all Hearings on their behalf.

**New Business** – None

**Public Comment** – None

The meeting of the Motor Vehicle Dealer Board was adjourned at 11:20 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.)*

Bruce Zulauf  
Executive Secretary