

# MOTOR VEHICLE DEALER BOARD MINUTES

**December 17, 2019**

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

**BOARD MEMBERS:**

Carrie Ann Baumgart  
Charla Berens  
John Linton  
Matthew Porter  
Luke Walch  
Michael Widhalm

**MEMBERS ABSENT:**

Ramona Graves Bode  
Fletcher Flower  
Jason White

**ACTING EXECUTIVE SECRETARY:**

Chris Rouze

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

Gloria Breedon  
John Opeka  
Frank Agos  
Josh Dexter  
Cheryl Morrison  
Erika Garcia  
Jim Osborn  
Rob Urbach  
Eric Teklu  
Brian Schurmann  
Beth Spellerberg  
Margaret Jungmann  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:**

Brad Jones

**VISITORS:**

David Cardella, CIADA  
Art Erwin, Christopher's Dodge Ram

President, John Linton, opened the meeting of December 17, 2019 at 9:00 a.m. Mr. Linton turned the floor over to Acting Executive Secretary, Chris Rouze.

**AGENDA REVIEW AND ANNOUNCEMENTS**

Ms. Rouze informed the Board there were no changes to the agenda as posted. Ms. Bode and Messrs. Flower and White will not be in attendance today.

Ms. Rouze informed the Board that the rules adopted during the Rulemaking Hearing of October 15<sup>th</sup>, went into effect the end of November.

The Division offices will be closed for the holidays as follows:

- **Christmas Eve – Tuesday, December 24<sup>th</sup>**
- **Christmas Day – Wednesday, December 25<sup>th</sup>**
- **New Year’s Eve – Tuesday, December 31<sup>st</sup> – Offices will close early at 2:00 p.m.**

## MINUTES

The minutes of the November 19, 2019 meeting were approved unanimously with correction made to a typographical error in the Complaints Investigation Report.

## BACKGROUND INVESTIGATIONS REPORT

Ms. Breeden presented the following to the Board:

### Salesperson Application:

- **Acosta, Larri Alejandro #170963** – Motion to grant the license – approved unanimously.

## EXECUTIVE SECRETARY REPORT

Ms. Rouze presented the following to the Board:

- **Proposed Stipulation and Final Agency Order – EarthRoamer #41404** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Western Equipment & Truck, Inc. #1238** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Rocky Mountain Kawasaki (MV) #36086** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Rocky Mountain Kawasaki (PS) #40254** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.

## COMPLAINT INVESTIGATIONS REPORT

Mr. Opeka presented the following to the Board:

**Statistical Reporting** – Mr. Opeka informed the Board that we started with 277 cases, 96 new cases were opened and 131 cases were closed for the month, giving the Division a balance of 242 open cases. There were 309 background inquiries performed.

**Affidavits of Probable Cause:**

- **Arapahoe Hyundai LLC, DL #36244** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Arapahoe Hyundai LLC, Dealer #36244; 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 – approved unanimously.
- **Humphrey RV & Trailer LLC, DL #4613** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Humphrey RV & Trailer LLC, Dealer #4613; 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 – approved unanimously.
- **Perfect Image Auto Solutions, DL #43884** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Perfect Image Auto Solutions, Dealer #43884; 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 – approved unanimously.
- **Tripoli Auto Sales, LLC, DL #42180** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Tripoli Auto Sales, LLC, Dealer #42180; 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.
- **Peter John Barrett, SP #23712** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Peter John Barrett, Salesperson #23712; and that the case be assigned to the Colorado Department of Revenue Hearing Division for a hearing on the merits – approved unanimously.
- **Mandi S. Cook, SP #182450** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Mandi S. Cook, Salesperson #182450; and that the Colorado Motor Vehicle Dealer Board summarily suspend the motor vehicle salesperson license in accordance with C.R.S. 24-4-104 as she has a mandatory disqualifying conviction, has engaged in deliberate and willful acts and her conduct poses a threat to the public health, safety and welfare – approved unanimously.

**New Business** – None

**Public Comment** – None

The meeting of the Motor Vehicle Dealer Board was adjourned at 9:35 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 Rouze  
Acting Executive Secretary