

NOTE: Appearing first is the Full Board summary which is the last meeting of the day. The committees will follow in the order of which time they were conducted. The Dealer Board staff felt it would benefit our readers to have the last meeting of the day appear first on the website.

~ 2nd DRAFT ~

Meeting Summary
Motor Vehicle Dealer Board
Monday, September 11, 2006

Chairman D.B. Smit called the Dealer Board meeting to order at 11:26 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were 18 Board members present. Present were members Jonathan Blank, Carlton Courter, Lynn Hooper, Todd Hyman, David Lacy, Wanda Lewark, Chip Lindsay, Hugh McCreight, Jim Mercer, Pat Patrick, Frank Pohanka, Kevin Reilly and Vince Sheehy, Larry Shelor, Jimmy Whitten, Robert Woodall and Thomas Woodson. (Absent: Thomas Moorehead). Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Bill Jackson and Debbie Allison represented the Dealer Board. Gerry Slade represented DMV. Eric Fiske represented the Attorney General's Office. Alice Weedon acted as Recording Secretary.

The July 10, 2006 meeting summary was approved.

PUBLIC COMMENT

- **Curbstoning Report.** Gerry Slade, DMV Investigator, gave a brief update on ISO investigations relating to curbstoning since the July Board meeting.
- **Curbstoning Presentation.** Dave Kyger, Special Agent for DMV in the Staunton District, and Tommy Widgen, Assistant Commonwealth Attorney, presented a power-point presentation regarding a curbstoner that was conducting a business from his jail cell.

STATUTORY COMMITTEE REPORTS

Dealer Practices Committee

- **John C. Bryant and Motorvation, LLC.** Chairman Pat Patrick summarized for the Board the discussion held in the Committee meeting regarding John C. Bryant and Motorvation, LLC. Based on that discussion, Mr. Patrick made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning John C. Bryant and Motorvation, LCC for alleged violations of Va. Code §46.2-1533 (Business Hours). Based on due consideration, the Board believes a civil penalty should be assessed against John C. Bryant and Motorvation, LCC. The Board hereby assesses a \$500 civil penalty against John C. Bryant and Motorvation, LCC.

Robert Woodall seconded. The motion carried unanimously.

- Payam Noori and Unlimited Auto Sale.** Chairman Pat Patrick summarized for the Board the discussion held in the Committee meeting regarding Payam Noori and Unlimited Auto Sale. Based on that discussion, Mr. Patrick made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Payam Noori and Unlimited Auto Sale for alleged violations of Va. Code §§46.2-1529, 46.2-1532, 46.2-1548, 46.2-1559 (All related to record keeping.); §46.2-1550 (Misuse of dealer license plates.); and §46.2-1575(2) (Failure to comply subsequent to receipt of a written warning/ willful failure to comply.) Based on due consideration, the Board believes a civil penalty should be assessed against Payam Noori and Unlimited Auto Sale. The Board hereby assesses a \$500 civil penalty against Payam Noori and Unlimited Auto Sale for violations of Va. Code §§46.2-1529 and 46.2-1559; and based on due consideration, the Board believes that successfully completing the dealer-operator course would benefit Mr. Salarkia, the dealer-operator, in running this dealership. The Board mandates that Mr. Hossein Salarkia successfully complete the dealer-operator course by March 16, 2007. Failure to successfully complete the course by this date will result in a suspension of all licenses and certificates issued to Mr. Payam Noori by the Board until what time Mr. Salarkia has successfully completed the course.

Jonathan Blank seconded. All in favor: 12 (Smit, Sheehy, Blank, Hooper, Lewark, Lindsay, McCreight, Mercer, Pohanka, Shelor, Whitten, Woodson). Opposed 6 (Reilly, Hyman, Lacy, Woodall, Courter, Patrick). The motion carried.

- Bill L. Moss and Moss Motor Company, Inc.** Chairman Pat Patrick summarized for the Board the discussion held in the Committee meeting regarding Bill Moss and Moss Motor Company, Inc. Based on that discussion, Mr. Patrick made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Bill L. Moss and Moss Motor Company for alleged violation of Va. Code §46.2-1575(12) (Leasing, renting, lending or otherwise allowing the use of a dealer's license plate by persons not specifically authorized). Based on due consideration, the Board believes a civil penalty should be assessed against Bill L. Moss and Moss Motor Company. The Board hereby assesses a \$250 civil penalty against Bill L. Moss and Moss Motor Company.

Jonathan Blank seconded. The motion carried unanimously.

- Sebghatullah Nassir and Export Car Connection, Inc.** Chairman Pat Patrick summarized for the Board the discussion held in the Committee meeting regarding Sebghatullah Nassir and Export Car Connection, Inc. Based on that discussion, Mr. Patrick made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the Board voted at its November 2005 meeting to assess a \$3,000 civil penalty and revoke all licenses issued by the Board to Mr. Sebghatullah Nassiri for alleged violations of Va. Code §46.2-1529, §46.2-1548, §46.2-1559, related to record keeping, and §46.2-1575(2), failure to comply subsequent to receipt of written warning by the Dealer Board or any willful failure to comply. Mr. Nassiri appealed the decision by the Board and requested a formal hearing. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Sebghatullah Nassiri and Export Car Connection, Inc for alleged

violations of Va. Code §46.2-1529, §46.2-1548, §46.2-1559, related to record keeping, and §46.2-1575(2), failure to comply subsequent to receipt of written warning by the Dealer Board or any willful failure to comply. Based on due consideration, the Board believes a civil penalty should be assessed against Sebghatullah Nassiri. The Board hereby assess a \$3,000 civil penalty against Mr. Nassiri; and based on due consideration, the Board believes that all licenses issued by the Board to Mr. Sebghatullah Nassiri should be revoked. The Board hereby revokes all licenses issued by the Board to Mr. Sebghatullah Nassiri.

Larry Shelor seconded. The motion carried unanimously.

- **Adjudicated Case: Determination to Convene an Informal Fact-Finding Conference.** Motion was made by Pat Patrick to accept the adjudicated case to go forth with the informal fact-finding conference.

Todd Hyman seconded. The motion carried unanimously.

- **Variance Request: Jerry's Automotive.** Chairman Pat Patrick summarized for the Board the discussion held in the Committee meeting regarding the variance request of Jerry's Automotive. Based on that discussion, Mr. Patrick made the following motion: In accordance with the authority given to the Board to modify the minimum hours requirements as set-out in VA Code §46.2-1533, that Jerry Farmer, Inc. T/A Jerry's Automotive Sales and Service (dealer #833) be granted a variance from the requirement of being opened for business at least 10 hours per week between the hours of 9:00 am and 5:00 pm, Monday through Friday provided that the dealership be open a minimum of 5 hours per week between the hours of 9:00 am and 5:00 pm, Monday through Friday. This variance shall be in effect through September 30, 2007.

Frank Pohanka seconded. The motion carried unanimously.

Licensing Committee

Chairman Todd Hyman summarized discussions held and actions that were taken during the Committee Meeting.

- **Alfred S. Stevens, Jr., Salesperson.** Chairman Todd Hyman summarized for the Board the discussion held in the Committee meeting regarding Alfred S. Stevens, Jr., Salesperson. Based on that discussion, Mr. Hyman made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the executive director, under the authority granted by the Motor Vehicle Dealer Board, revoked the salesperson's license issued to Mr. Alfred S. Stevens pursuant to Va. Code §§46.2-1575(4), defrauding a retail purchaser or any other person, and 46.2-1575(6) having used deceptive acts or practices. Mr. Stevens appealed the denial and requested a formal hearing. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Mr. Alfred S. Stevens and based on due consideration, the Board believes that Mr. Steven's motor vehicle salesperson's license should be revoked. The Board hereby revokes all licenses and certificates issued by the Board to Mr. Alfred S. Stevens.

Robert Woodall seconded. The motion carried unanimously.

Advertising Committee

Chairman Frank Pohanka summarized discussions that were held during the Committee Meeting.

- **Pay for Performance Advertising.** Chairman Frank Pohanka summarized for the Board the discussion held in the Committee meeting regarding Pay for Performance Advertising. Motion was made by Mr. Pohanka to approve this form of advertising.

Larry Shelor seconded. The motion carried unanimously.

Transaction Recovery Fund Committee

Chairman David Lacy summarized discussions held and actions that were taken during the Committee Meeting.

- **Charles M. Pirrera and Price Is Right Auto Sales.** Chairman David Lacy summarized for the Board the discussion held in the Committee meeting regarding Charles M. Pirrera and Price Is Right Auto Sales. Based on that discussion and the recommendation in the case, Mr. Lacy made the following motions: Pursuant to §46.2-1527.1 et. seq. of the Code of Virginia, which is known as the Motor Vehicle Transaction Recovery Fund ("Fund"), the Board has reviewed and considered claims submitted for payment from the Fund and based on due consideration and recommendation of the hearing officer, the Board believes the following claims should be payable from the Fund. The Board hereby approves and reaffirms the following claims and payment amounts subject to compliance by the claimant with statutory requirements:

Charles M. Pirrera and Price Is Right Auto Sales **\$9,758.50**

Pat Patrick seconded. The motion carried unanimously.

OLD BUSINESS FROM THE FLOOR

- **Signature Auto Sales.** D. B. Smit updated the Committee and indicated that DMV can call a hearing to determine if a Dealer is misusing 30 day tags. Signature Auto Sales was notified by letter of a hearing to determine if they misused 30 day tags.

NEW BUSINESS

NEW BUSINESS FROM THE FLOOR

Bruce Gould introduced to the Committee a new fee schedule and updated the members on a case involving dealers riding on D tags. D.B. Smit indicated that it would take legislation to address this issue.

Executive Director's Report. Bruce Gould indicated that Sara Meekins, of PRG Shultz, a cost recovery firm, indicated that the Dealer Board had zero over-payments.

The next meeting was scheduled for November 13, 2006.

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Smit adjourned the meeting at 12:40 p.m.

Meeting Summary
Dealer Practices Committee
Monday, September 11, 2006

Chairman Pat Patrick called the Dealer Practices Committee meeting to order at 8:30 a.m. in Room 702 of the DMV Headquarters Building at 2300 W. Broad Street in Richmond. Present were Committee members Jonathan Blank, Lynn Hooper, David Lacy, Hugh McCreight, Jim Mercer, Frank Pohanka, Kevin Reilly, Jimmy Whitten and Robert Woodall (Absent: Thomas Moorehead) Board members present: Tommy Woodson, Todd Hyman, D.B. Smit, Vince Sheehy, Larry Shelor, Wanda Lewark, Chip Lindsay, Hugh McCreight. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Wanda Neely, Bill Jackson and Debbie Allison represented the Dealer Board. Eric Fiske was present from the Attorney General's Office.

The July 10, 2006 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

Update: July Actions. Peggy Bailey reported on the actions taken at the Dealer Practices Committee meeting on July 10, 2006.

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conference:

- **John C. Bryant and Motorvation, LCC.** On May 26, 2006, an informal fact-finding conference was conducted to address the alleged violations of VA Code §46.2-1533 (Failure to maintain posted business hours of operation). Based on the information provided at the conference, the hearing officer recommended that a civil penalty of \$500 be assessed against John C. Bryant and Motorvation and a follow-up inspection be conducted to ensure all rules and regulations are being followed.

Mr. Bryant was present and spoke on his own behalf.

Motion was made by Lynn Hooper to accept the hearing officer's findings and recommendation. Kevin Reilly seconded. The motion carried unanimously.

- Payam Noori and Unlimited Auto Sale.** On August 8, 2006, an informal fact-finding conference was conducted to address the alleged violations of Virginia Code §46.2-1529 (Failure to maintain all dealer records on the premises of the licensed location in a manner that permits systematic retrieval, including records regarding employees; lists of vehicles in inventory for sale, resale, or on consignment; vehicle purchases, sales, trades, and transfers of ownership; collections of taxes; titling, uninsured motor vehicle, and registration fees; odometer disclosure statements; records of permanent dealer registration plates assigned to the dealer and temporary transport plates and temporary certificates of ownership.) §46.2-1532 (Failure to maintain odometer disclosure statements for a period of five years in a manner that permits systematic retrieval.) §46.2-1548 (Failure to keep a written record of dealer license plates and have them available for inspection.) §46.2-1550 (Failure to properly limit the use of dealer license plates on vehicles in the dealer's inventory to dealers, their spouses, licensed salespersons and employees of the dealership. To be eligible for a salesperson to use dealer license plates, they must work for the dealership at least 25 hours per week on a regular basis and be compensated for their work.) §46.2-1559 (Failure to keep a written record of temporary license plates and have them available for inspection. Each record shall be retained for a period of one year.) §46.2-1575(2) (Failure to comply subsequent to receipt of a written warning from the Department or the Board or any willful failure to comply with any provision of this chapter or any regulation promulgated by the Commissioner or the Board under this chapter.) Based on the information provided at the conference, the hearing officer recommended that a civil penalty of \$750 be assessed against Payam Noori and Unlimited Auto Sale. (\$250 for §46.2-1529, \$250 for §46.2-1559 and \$250 for §46.2-1575[2]).

Mr. Salarkia Hossein, Mr. Noori's stepfather and Dealer-Operator, spoke on behalf of Unlimited Auto Sales.

Motion was made by Kevin Reilly to modify the hearing officer's recommendation and assess a \$1,000 civil penalty and for Mr. Hossein to successfully complete the Dealer-Operator Course within a 6 month period. David Lacy seconded. All in favor: 8 (Patrick, McCreight, Lacy, Pohanka, Reilly, Mercer, Whitten, Woodall). Opposed: 2 (Hooper and Blank). The motion carried.

- Bill L. Moss and Moss Motor Company.** On August 16, 2006, an informal fact-finding conference was conducted to address the alleged violations of Virginia Code §§46.2-1575(6) (Having used deceptive acts or practices) and 46.2-1575(12) (Leasing, renting, lending or otherwise allowing the use of a dealer's license plate by persons not specifically authorized under this title). Based on the information provided at the conference, the hearing officer recommended that a civil penalty of \$250 be assessed against Bill L. Moss and Moss Motor Company for the violation of §46.2-1575(12).

Mr. and Mrs. Moss were present and Mrs. Moss spoke on behalf of their dealership.

Motion was made by Lynn Hooper to accept the hearing officer's findings and recommendation. David Lacy seconded. The motion carried unanimously.

Review and Action: Formal Hearing:

- **Sebghatullah Nassiri and Export Car Connection, Inc.** On July 28, 2005, an informal fact-finding conference was conducted to address the alleged violations of Virginia Code §46.2-1529 (failure to maintain all dealer records on the premises in a manner that permits systematic retrieval), §46.2-1548 (failure to keep written record of dealer license plates and have them available for inspection), §46.2-1559 (failure to keep written record of temporary license plates retained for a period of one year and have them available for inspection) and §46.2-1575(2) (failure to comply subsequent to receipt of written warning by the Dealer Board or any willful failure to comply with any provision or regulation of this chapter against Sebghatullah Nassiri and Export Car Connection, Inc. Based on the information provided at the conference, the hearing officer recommended that the Board assess a civil penalty of \$3,000 against Sebghatullah Nassiri and Export Car Connection, Inc. The hearing officer also recommended that the Board revoke his license and certificate of dealer registration and qualification. Mr. Sebghatullah appealed this decision on December 6, 2005. On April 6, 2006, a formal hearing was conducted and based on the information provided at the hearing, the hearing officer recommended a civil penalty of \$1,000 for each violation, for a total civil penalty of \$3,000.00 and that all licenses held by Mr. Nassiri and Export be revoked.

Mr. Nassiri was present and spoke on behalf of his dealership, Export Car Connection.

Motion was made by Lynn Hooper to accept the hearing officer's findings and recommendation. Robert Woodall seconded. The motion carried unanimously.

- **Adjudicated Case: Determination to Convene an Informal Fact-Finding Conference.** Bruce Gould presented to the Committee an action brought by a Plaintiff to recover actual, statutory and punitive damages, reasonable attorneys' fees, and costs from Defendants for allegedly giving false disclosures about the mileage of a motor vehicle. General discussion followed.

Motion was made by Jonathan Blank to conduct an Informal Fact-Finding Conference on Little Charlie's Auto Sales. Lynn Hooper seconded. The motion carried unanimously.

- **Report on Variance Requests (Dealer Hours and Storage of Dealer Records).** Bruce Gould reported that there were 4 requests for records, 3 were approved and 1 was denied.
- **Variance Request: Jerry's Automotive.** Bruce Gould reported that for the past 8 years, Jerry Farmer has requested a variance in hours for his dealership, Jerry's Automotive Sales and Service, because of his teaching schedule.

Motion was made by Lynn Hooper to accept Mr. Farmer's variance request. Frank Pohanka seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The next meeting was scheduled for November 13, 2006.

The meeting adjourned at 9:49 a.m.

Meeting Summary
Dealer Licensing Committee
Monday, September 11, 2006

Chairman Todd Hyman called the Dealer Licensing Committee meeting to order at 10:06 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members Wanda Lewark, Chip Lindsay, Kevin Reilly, Vince Sheehy, Larry Shelor, Robert Woodall, Jimmy Whitten and Thomas Woodson. Other Board members present: Lynn Hooper, Frank Pohanka, Jim Mercer, David Lacy, Pat Patrick, Jonathan Blank, Hugh McCreight. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Wanda Neely, Bill Jackson and Debbie Allison represented the Dealer Board. Eric Fiske represented the Attorney General's Office.

The July 10, 2006 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

OLD BUSINESS

Update: July Actions. Peggy Bailey reported on the actions taken at the Licensing Committee meeting on July 10, 2006.

- **Update: Criminal History Check.** Bruce Gould indicated that staff is continuing the use of ScreeningOne and so far it is working out really well. It appears that they will continue to use ScreeningOne rather than State Police for Criminal History Background Checks.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conference Results:

- **Alfred S. Stevens, Jr., Salesperson.** On January 26, 2006, an informal fact-finding conference was conducted to address the alleged violations of VA Code §§46.2-1575(4) (Defrauded retail buyers, to the buyers damage, or to other persons in the conduct of the automobile sales industry) and 46.2-1575(6) (Having used deceptive acts or practices). Based on the information provided at the conference, the hearing officer recommended revocation of Mr. Stevens' salesperson's license. Mr. Stevens appealed that decision on April 20, 2006. A Formal hearing was conducted on July 31, 2006 and based on the information provided at the conference, the hearing officer recommended revocation of Mr. Stevens' salesperson's license.

Motion was made by Larry Shelor to accept the hearing officer's findings and recommendation. Tommy Woodson seconded. The motion carried unanimously.

The next meeting was scheduled for November 13, 2006.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The meeting adjourned at 10:14 a.m.

Meeting Summary
Advertising Committee
Monday, September 11, 2006

Chairman Frank Pohanka called the Advertising Committee meeting to order at 10:15 a.m. in Room 702, at DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members Jonathan Blank, Chip Lindsay, Hugh McCreight, James Mercer, Pat Patrick and Larry Shelor. (Absent: Thomas Moorehead). Other Board members present: Carlton Courter, Kevin Reilly, Tommy Woodson, Robert Woodall, Todd Hyman, Vince Sheehy, Wanda Lewark, Jimmy Whitten. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Wanda Neely, Bill Jackson and Debbie Allison represented the Dealer Board. Eric Fiske represented the Attorney General's Office.

The July 10, 2006 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

- **Pay for Performance Advertising.** Bill Smith and Brad Cooper of The Fredericksburg Free Lance-Star presented a "Pay for Performance Advertising" model whereby dealers would pay a fee to the newspaper every time they "clicked" on (computer) or called a toll free number concerning a specific, advertised motor vehicle. The question was whether or not this model fits under the definition of "bird dogging". General discussion followed.

Motion was made by Vince Sheehy to approve the above form of advertising. Pat Patrick seconded. All in favor: 7 (Pohanka, Hooper, Blank, Lindsay, Mercer, Patrick, Shelor). Opposed: 1 (McCreight). The motion carried.

The next meeting will be November 13, 2006.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The meeting adjourned at 11:10 a.m.

Meeting Summary
Transaction Recovery Fund Committee
Monday, September 11, 2006

Chairman David Lacy called the Transaction Recovery Fund Committee meeting to order at 11:13 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Jonathan Blank, Lynn Hooper, David Lacy, Wanda Lewark, Vince Sheehy, Larry Shelor and Tommy Woodson. Other Board members present: Kevin Reilly, Carlton Courter, Robert Woodall, Todd Hyman, Frank Pohanka, Jim Mercer, Pat Patrick, Chip Lindsay, Hugh McCreight, Jimmy Whitten. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Wanda Neely, Bill Jackson and Debbie Allison represented the Dealer Board. Eric Fiske represented the Attorney General's Office.

The July 10, 2006 summary was approved.

PUBLIC COMMENT

There was no public comment.

Legislative Proposal Findings. Bruce Gould indicated that a sub-committee gave him some feedback and they put together a legislative proposal. He has not yet heard from the Governor's office. It should be a couple of weeks before he'll know if it's a part of the Governor's package.

OLD BUSINESS

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conference Results:

- **Charles M. Pirrera and Price Is Right Auto Sales.** On December 21, 2004, Mr. Pirrera purchased a 2000 Dodge Dakota from Price Is Right Auto Sales for the purchase price of \$6,990.00, which Mr. Pirrera paid for in full through his VISA check card and once payment was received, 30-day temporary tags were issued to Mr. Pirrera and he was told he would get his title within a week. Three weeks after purchase, Mr. Pirrera left numerous phone messages and e-mails regarding the title and he never received any response to his inquiries. On January 20, 2005, his temporary tags expired and he was unable to title and register the vehicle in his state of Maryland. Mr. Pirrera contacted the Dealer Board and spoke with a representative who confirmed that Price Is Right Auto had ceased operations and that there had been other complaints with very similar situations. It appears that Mr. Ainsworth and his dealership had misappropriated the funds and never paid for the vehicle. As a result, the title owner of the vehicle refused to transfer title to Mr. Pirrera. Unable to drive the vehicle, Mr. Pirrera advised the title owner to come and get the vehicle, which he did.

On November 9, 2005, Thomas B. Christiano, counsel for Mr. Pirrera, submitted to the Dealer Board an affidavit of facts and Warrant in Debt that had been filed against Piras, Inc. t/a Price Is Right Auto for violation of the Virginia Consumer Protection Act and Fraud. On December 20, 2005, the General District Court for the City of Alexandria awarded Mr. Pirrera a judgment against Price is Right Auto Sales in the amount of \$15,000.00 plus \$2,702.50 in attorney fees and \$66.00 in costs. By June 9, 2006, all appropriate documentation had been submitted to the Dealer Board in order to file a claim against the Transaction Recovery Fund. After carefully reviewing all documentation, it is requested that the Recovery Fund Committee and Full Board approve Mr. Pirrera's claim in the amount of \$9,758.50, which consists of \$6,990.00 actual damages in connection with the purchase, \$2,702.50 in attorney fees and \$66.00 in court costs. On July 28, 2006, an informal fact-finding conference was conducted and based on the information presented at the conference the hearing officer conducting the conference recommended that the Transaction Recovery Fund Committee and the Full Board members consider approving the amount of \$9,758.50.

Motion was made by Lynn Hooper to accept the hearing officer's findings and recommendation. Larry Shelor seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR

There was no old business from the floor.

The next meeting was scheduled for November 13, 2006.

The meeting adjourned at 11:24 a.m.