

MINUTES

1/11/2016



**TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF REGULATORY BOARDS
MOTOR VEHICLE COMMISSION
500 JAMES ROBERTSON PARKWAY, 2ND FLOOR
NASHVILLE, TENNESSEE 37243-1153
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**TENNESSEE
MOTOR VEHICLE COMMISSION
MINUTES**

DATE: January 11, 2016

PLACE: Davy Crockett Tower – Conference Room 1-A
500 James Robertson Parkway
Nashville, Tennessee

PRESENT: Commission Members:
Eddie Roberts
Jim Galvin
Ronnie Fox
Nate Jackson
John Murrey
Reed Trickett
Stan Norton
Don Parr
Farrah Vaughan
Lynn Webb
Steve Tomaso
Ian Leavy
Kahren White

ABSENT: Stann McNabb
Joe Clayton
Donnie Hatcher

CALL TO ORDER: Chairman Eddie Roberts called the meeting to order at 9:00 am

Chairman Roberts took the opportunity to welcome the newest Commission Members, Commissioner Kahren White and Victor Evans. The Chairman also recognized the reappointments of Commissioner Parr and Commissioner Jackson.

ROLL CALL: Paula J. Shaw, Executive Director, called the roll. 13 members were present and a quorum was established.

MEETING NOTICE: Notice advising the Commission of the time, date and location of the meeting being posted on the Tennessee Motor Vehicle Commission website and that it has been included as part of the year's meeting calendar since July 13, 2015, was read into the record by Executive Director, Paula J. Shaw. The notice also advised that the Agenda has been posted on the Tennessee Motor Vehicle Commission website since January 7, 2016.

ROBERTS' RULES OF ORDER: Chairman Roberts called for the Commission to adopt Roberts' Rules of Order. The motion was made by Commissioner Jackson and seconded by Commissioner Vaughan. Chairman Roberts called for a voice vote to adopt.

MOTION CARRIED.

AGENDA: Chairman Roberts requested the Commission adopt the Agenda. Commissioner Trickett made a motion to adopt the agenda, seconded by Commissioner Fox. Chairman Roberts called for a voice vote to approve.

MOTION CARRIED.

QUARTERLY MEETING MINUTES: Commissioner Jackson made a motion to approve the minutes from the October 5, 2015 meeting, seconded by Commissioner Trickett.

MOTION CARRIED.

Executive Director Shaw advised the Commission the Annual Sales Reports were currently out and staff was expecting them to be submitted by mid-February.

REPRESENTATIVE JEREMY FAISON: Chairman Roberts introduced Representative Jeremy Faison to the Commission. Representative Faison addressed the Commission regarding Ramsey's Auto. See full video here:

https://www.youtube.com/watch?v=AK2VuFkKfHc&index=2&list=PLWgyob0pqnhy8HhtWo9jbmqt4_SDdXPY

APPEALS: The following appeals were heard by the Commission.

Christopher Field
Knox Drives, Knoxville, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion Commissioner Trickett moved the staff denial be upheld, seconded by Commissioner Jackson.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion carried, therefore the license is denied.

Cody Wadell
Gillis Powersports, Savannah, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion Commissioner Galvin moved the application be approved, seconded by Commissioner Jackson.

ROLL CALL VOTE

Eddie Roberts	YES
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Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion carried, therefore the license is granted.

Terri Flores
 Gallery Motors, LLC, Tullahoma, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Jackson moved the application be approved, seconded by Commissioner Vaughan.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion passed, therefore the license is granted.

Clifford Lewis
 Bill Boruff Chrysler Dodge Jeep Ram, Sparta, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration.

After some discussion, Commissioner Jackson moved the staff denial be upheld, seconded by Commissioner Galvin.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion carried, therefore the denial is upheld.

William McMahan
Evans Auto Sales Exchange, Murfreesboro, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Webb moved the license be granted, seconded by Commissioner Vaughan.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion Carried, therefore the license is granted.

Frank Jones
Gateway Classic Cars, Lavergne, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Jackson moved the application be approved, seconded by Commissioner Trickett.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion passed, therefore the license is granted.

Monica Hammers
King Automotive, Mt. Juliet, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Jackson moved the application be denied, seconded by Commissioner Webb.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	NO
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	NO
Reed Trickett	NO
Stan Norton	NO
Don Parr	NO

Farrar Vaughan	NO
Lynn Webb	YES
Steve Tomaso	NO
Ian Leavy	NO
Kahren White	YES

Motion failed and a new motion was made by Commissioner Leavy to approve the license, seconded by Commissioner Galvin.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	NO
Nate Jackson	NO
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	NO
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	NO

Motion passed, therefore the license was granted.

Michael Butine
Middle Tennessee Automart, Hermitage, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Vaughan moved the staff denial be upheld, seconded by Commissioner Fox.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES

Ian Leavy **YES**
Kahren White **YES**

Motion carried, therefore the license is denied.

Tyrone Ferguson
Kia of Murfreesboro, Murfreesboro, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Webb moved the application be approved, seconded by Commissioner Murray.

ROLL CALL VOTE

Eddie Roberts **YES**
Jim Galvin **YES**
Ronnie Fox **YES**
Nate Jackson **YES**
John Murrey **YES**
Reed Trickett **YES**
Stan Norton **YES**
Don Parr **YES**
Farrar Vaughan **YES**
Lynn Webb **YES**
Steve Tomaso **YES**
Ian Leavy **YES**
Kahren White **YES**

Motion carried, therefore the license is granted.

George Tribble
Crest Honda, Nashville, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Fox moved the application be approved, seconded by Commissioner Parr.

ROLL CALL VOTE

Eddie Roberts **YES**
Jim Galvin **YES**
Ronnie Fox **YES**
Nate Jackson **YES**
John Murrey **YES**

Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion carried, therefore the license is granted.

Franklin Hughes
Hyundai of Cookeville, Cookeville, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Jackson moved the staff denial be upheld, seconded by Commissioner Trickett.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion carried, therefore the license is denied.

Larry Lane
Crown Motors, Inc., Dayton, TN

Chairman Roberts requested appeals of salespersons applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Webb moved the license be approved, seconded by Commissioner Fox.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion carried, therefore the license is granted.

Expert’s Auto Body and Sales, Jackson, TN

Chairman Roberts requested appeals of Dealer applications which were previously denied by the staff to be heard by the Commission for their review and consideration. After some discussion, Commissioner Jackson moved the license be approved, seconded by Commissioner Fox.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

Motion carried, therefore the license is granted.

DIRECTOR’S REPORT – Paula J. Shaw, Executive Director

Executive Director Shaw provided the Commission with the following information which is for informational purposes only:

Since the last Commission meeting on October 5, 2015 the following activity has occurred:

Dealers Opened, or Relocated (Last Quarter).....93

Active Licensees as of December 15, 2015 (Due to the Transition to CORE)

Dealers.....	3755
Applications in Process.....	34
Distributors/Manufacturers.....	127
Auctions.....	31
Representatives.....	528
Salespeople.....	16259
Dismantlers.....	293
RV Dealers.....	28
RV Manufacturers.....	59

Motor Vehicle Show Permits:

Issued Since July 1, 2015.....	6
Associated Revenue.....	\$1200

Complaint Report- Opened Complaints as of October 1, 2015 – December 15, 2015:

Number of Complaints Opened.....	53
Number of Complaints Close.....	81

Annual Sales Reports-(Due Feb 15):

Vehicles Reported Sold in 2014.....1,030,585 (Excluding Dealers Reporting Late)
Listing Sent to County Clerks April 14, 2015

Disciplinary Action Report – (October 2015-December 2015):

Total Collected.....	\$138,500.00
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Chairman Roberts requested the Executive Director add to the Director’s Report, the number of Temporary Tags sold from January 1, 2015 through December 31, 2015. The Executive Director acknowledged the request and provided Chairman Roberts with the total of temporary tags sold in Tennessee which was 943,469.

Chairman Roberts called for a motion to approve the Director’s Report. Commissioner Jackson made a motion to approve the Director’s Report, and was seconded by Commissioner Galvin.

VOICE VOTE – UNANIMOUS

The motion carried to approve the Director's Report.

Motion Carried

LEGAL REPORT

Assistant General Counsel, Matthew E. Reddish, presented the Commission with the legal report which was revised during the legal review committee meeting earlier that morning. Assistant Counsel Reddish conveyed to the full Commission that the report contained 183 complaints and the first case under "representations" was amended to reflect a \$3,500 civil penalty. The remainder of the report remained unchanged.

DATE: January 11, 2016

SUBJECT: MVC Legal Report

1. Case No.: 2015017881

Respondent accused of deceptive advertising, however, Complainant was uncooperative with investigation and would not provide sworn statements.

Recommendation: Close

Commission Action: Approved

2. Case No.: 2015021081

Complainant alleged Respondent took their car as a trade in and failed to pay off liens as well as wrongfully repossessed Complainant's newly purchased motor vehicle. Respondent states motor vehicle in question was given to them to repair by Complainant and Complainant now refuses to pay for repairs. Respondent produced bill of sale with no trade in listed. Respondent produced payment history showing motor vehicle behind on payments at time of repossession. Complainant was unable to produce any evidence to the contrary.

During investigation it was discovered that Respondent failed to record one temporary tag issued to Complainant.

Recommendation: Authorization of a civil penalty in the amount of \$500 for failure to maintain temporary tag log. To be settled by consent order or formal hearing.

Commission Action: Approved

3. Case No.: 2015018381

Complainant alleges Respondent refuses to provide them with documents necessary to properly title vehicle. Respondent states all necessary documents were sent after the original sale in 2009. Some original records have been lost with transition to a new data system. Respondent has provided Complainant with all documents and recreations of documents it can accurately produce and/or create.

Recommendation: Close

Commission Action: Approved

4. Case No.: 2015014861
2015018391
2015019081

Complainant alleged Respondent engaged in unlicensed activity, investigation conducted to determine the presence and extent of any unlicensed activity. During investigation, investigator was unable to obtain evidence of any unlicensed sales made by Respondent. Further, Complainant was uncooperative with investigation.

Recommendation: Close

Commission Action: Approved

5. Case No.: 2015013301

Commission received Complaint alleging Respondent was engaging in unlicensed activity from his residence. Investigation sent to determine the presence and extent of any unlicensed activity. Investigation returned no evidence of any unlicensed sale of a motor vehicles. Neighbor of Respondent stated Respondent moved out of state several months ago.

Recommendation: Close

Commission Action: Approved

6. Case No.: 2015017971

Commission received information alleging Respondent engaged in curbstoning. Investigation conducted to determine the extent of unlicensed activity. During investigation it was found that Respondent sold fourteen (14) motor vehicles over a 12 month period. City of Sevierville has issued an order to Respondent ordering him to cease selling motor vehicles from business premises around town. Respondent stated he will no longer sell more than his allotted five (5) motor vehicles in a twelve (12) month period.

Recommendation: Authorization of a civil penalty in the amount of Four Thousand Five Hundred Dollars (\$4,500) for curbstoning (\$500 x 9 sales). To be settled by consent order or formal hearing.

Commission Action: Approved

7. Case No.: 2015017961

Commission received information alleging Respondent was selling new cars of a line make they were not licensed to sell. Investigation conducted to determine if any violation had occurred. Investigation failed to produce any evidence of Respondent selling new motor vehicles of a line make not included on license. The motor vehicle in questions was advertised and sold as used, bill of sale stated used.

Recommendation: Close

8. Case No.: 2015017702

Commission received information alleging Respondent was operating as a salesperson at a dealership without a proper salesperson license. Investigation conducted to determine extent of unlicensed activity. During investigation it was found that Respondent had sold five motor vehicles without proper salesperson license. Respondent has a previous history with the Motor Vehicle Commission.

Recommendation: Authorization of a civil penalty in the amount of \$2,500 consisting of \$500 x 5 unlicensed sales. To be settled by consent order or formal hearing.

Commission Action: Approved

9. Case No.: 20150214221

Respondent/Dealer received an Agreed Citation for failure to properly maintain a temporary tag log. Respondent has not paid the Agreed Citation.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for failure to properly maintain a temporary tag log, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

10. Case No.: 20150214921

Respondent/Dealer received a Notice of Violation for employing three (3) unlicensed salespeople, one whom sold four (4) vehicles while unlicensed. Upon additional review of inspection, only one of the individuals was acting as an unlicensed salesperson.

Recommendation: Authorization of a civil penalty in the amount of Two Thousand Dollars (\$2,000) (\$500 x 4 occurrences of employing an unlicensed salesperson) to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

11. Case No.: 20150214922

Respondent/Salesperson received a Notice of Violation for acting as a licensed salesperson prior to the Commission approving his application at the October 2015 meeting and selling four (4) vehicles while unlicensed. During the October 2015 meeting, Respondent/Salesperson misled the Commission to believe he had not acted as a salesperson and was only helping service and/or clean vehicles at the dealership while awaiting his appeal hearing.

Recommendation: Authorization of a civil penalty in the amount of Three Thousand Dollars (\$3,000) (4 x \$500 for unlicensed sales) (1 x \$1,000 for false, fraudulent and/or deceptive act for misleading Commission) to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

12. Case No.: 20150214923

Respondent/Salesperson received a Notice of Violation for acting as a licensed salesperson other than at the location he was licensed at by the Commission. Upon further review of the situation, no violation occurred.

Recommendation: Close

Commission Action: Approved

13. Case No.: 20150214924

Respondent/Salesperson received a Notice of Violation for acting as a licensed salesperson. Found no actual evidence that Respondent was acting as an unlicensed salesperson.

Recommendation: Close

Commission Action: Approved

14. Case No.: 2015020871

Respondent/Dealer received an Agreed Citation for failure to properly maintain a temporary tag log. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for failure to properly maintain a temporary tag log, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

**15. Case No.: 2015017841
2015017842**

Complaint alleged possible unlicensed activity by Respondent 1, investigation conducted to determine extent of unlicensed activity. During investigation it was found that Respondent 1 committed one (1) unlicensed sale. Further, during investigation it was revealed that Respondent 2 dealer permitted Respondent 1 to present himself as Respondent 2 dealership at auctions for Respondent 1's personal business and allowed Respondent 1 to use Respondent 2's documents for completing sale in an effort to deceive consumers. Complainant is an injured consumer.

Recommendation:

Respondent 1: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for one unlicensed sale of a motor vehicle. To be settled by consent order or formal hearing.

Respondent 2: Authorization of revocation of motor vehicle dealership license for employment of unlicensed salespeople and deceptive/false acts. To be settled by consent order or formal hearing.

Commission Action: Approved

16. Case No.: 2015018591

Complainant alleged Respondent sold him a motor vehicle with a salvage title without disclosing motor vehicle had a salvage title. Investigation conducted to determine validity of claim. During investigation, Complainant was uncooperative and stated Respondent had refunded them for the motor vehicle. Respondent claimed they were unaware that motor vehicle had a salvage title and they undid the sale as soon as material facts were discovered. Respondent dealer is now out of business.

Recommendation: Close

Commission Action: Approved

17. Case No.: 2015017951
20150218101

Complainant alleged Respondent failed to issue title. Investigation conducted to determine the status of title and reason for title not being timely issued. During investigation it was found that title had been issued to Complainant and Complainant no longer wished to pursue complaint.

Recommendation: Close

Commission Action: Approved

18. Case No.: 2015017981

Complaint alleged Respondent was engaging in unlicensed sales. Investigation conducted to determine extent of unlicensed activities. During investigation, Respondent was found to have sold seven (7) motor vehicles over a twelve (12) month span.

Recommendation: Authorization of a civil penalty in the amount of \$1,000 consisting of \$500 x 2 acts of unlicensed sales. To be settled by consent order or formal hearing.

Commission Action: Approved

19. Case No.: 20150131911
20150131912

Complainant alleged Respondent sold her a motor vehicle and failed to issue title in a timely manner. Respondent is an unlicensed dealer with a long history of unlicensed sales in Tennessee. Investigation conducted to determine validity of Complainant's statements. During investigation it was found that Complainant's statements have validity, Respondent was uncooperative. Complainant was issued two temporary tags that were registered to Respondents. Both temporary tags had incorrect information or were altered.

Recommendation:

Respondent 1: Authorization of a civil penalty in the amount of \$5,000 for one unlicensed sale. To be settled by consent order or formal hearing.

Respondent 2: Authorization of a civil penalty in the amount of \$5,000 for one unlicensed sale. To be settled by consent order or formal hearing.

Commission Action: Approved

20. Case No.: 20150210791

Complainant alleged Respondent refused to issue title. Respondent states it had an agreement with Complainant to do repair work on motor vehicle for Complainant and then add the sum of the repair bill onto the loan balance, now Complainant refuses to pay that extra balance. Complainant admitted Respondent's statement is true.

Recommendation: Close

**21. Case No.: 20150220171
2015018531
2015018532
2015020451
2015020452
2015020453
2015020454
2015020455
20150219521
20150219522
20150219523
20150219524
20150219525**

Complainant 1, Complainant 2 and Complainant 3 alleged Respondent 1 dealer sold them a salvage motor vehicle and has not timely presented them with a title. Respondent 1 is an unlicensed dealership. Investigation conducted to determine the extent of unlicensed activity. While allegations being investigated, BBB notified Commission of multiple complaints received recently due to unlicensed sales by Respondent 1 dealer. During investigation it was found that Respondents 2, 3, 4 and 5 are owners and/or managers at Respondent 1 dealer. Further, investigation confirmed that the title issued on Complainant's motor vehicles had falsified information hiding material fact that titles were salvage titles. Additional investigation and supplemental materials from BBB uncovered four (4) additional motor vehicles sold by Respondent 1 dealership. Respondents 2, 3, 4 and 5 are repeat offenders. Investigation revealed a total of 7 motor vehicles sold by Respondents.

Recommendation:

Respondent 1: Authorization of a civil penalty in the amount of thirty five thousand dollars (\$35,000) consisting of \$5,000 x 7 unlicensed sales. To be settled by consent order or formal hearing.

Respondent 2: Authorization of a civil penalty in the amount of thirty five thousand dollars (\$35,000) consisting of \$5,000 x 7 unlicensed sales. To be settled by consent order or formal hearing.

Respondent 3: Authorization of a civil penalty in the amount of thirty five thousand dollars (\$35,000) consisting of \$5,000 x 7 unlicensed sales. To be settled by consent order or formal hearing.

Respondent 4: Authorization of a civil penalty in the amount of thirty five thousand dollars (\$35,000) consisting of \$5,000 x 7 unlicensed sales. To be settled by consent order or formal hearing.

Respondent 5: Authorization of a civil penalty in the amount of thirty five thousand dollars (\$35,000) consisting of \$5,000 x 7 unlicensed sales. To be settled by consent order or formal hearing.

Commission Action: Approved

22. Case No.: 2015019971

Respondent/Dealer received an Agreed Citation for failure to maintain a county business license. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Two Hundred Fifty Dollars (\$250) for failure to maintain a county business license, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

23. Case No.: 2015019951

Respondent/Dealer received an Agreed Citation for failure to maintain a city and/or county business license. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for failure to maintain a city and/or county business license, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

24. Case No.: 2015019921

Respondent/Dealer received an Agreed Citation for failure to properly maintain a temporary tag log and failure to maintain a county business license. Respondent/Dealer is contesting the Agreed Citation.

Recommendation: Authorization of a civil penalty in the amount of Two Thousand Seven Hundred Fifty Dollars (\$1,250), One Thousand Dollars (\$1,000) for failure to properly maintain a temporary tag log and Two Hundred Fifty Dollars (\$250) for failure to maintain a county business license, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

25. Case No.: 2015019941

Respondent/Dealer received an Agreed Citation for failure to maintain a city and/or county business license. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for failure to maintain a city and county business license, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

26. Case No.: 2015019911

Respondent/Dealer was issued a Notice of Violation for issuing temporary tags to four (4) salvaged vehicles; failure to notify the Commission of ownership change; and thirty (30) missing temporary tags. Legal counsel for the Commission attempted to make contact with the owner regarding the thirty (30) missing temporary tags, but according to the gentleman who answered the phone, there was no one who worked or owned the dealership available at the time and he was only there acting as a self-employed mechanic.

Recommendation: Authorization of revocation of motor vehicle dealership license for employment of unlicensed salespeople and deceptive/false acts. To be settled by consent order or formal hearing.

Commission Action: Approved

27. Case No.: 2015019961

Respondent/Dealer was issued a Notice of Violation for two (2) off-site sales, thirty-six (36) missing Buyer's Guides, and failure to maintain a temporary tag log. An Agreed Citation was sent to Respondent/Dealer, but Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Two Thousand Dollars (\$2,000); One Thousand Dollars (\$1,000) for two (2) off-site sales (\$500 x 2 vehicles) and One Thousand Dollars (\$1,000) for failure to maintain a temporary tag log, to be settled by Consent Order or Formal Hearing. Letter of warning issued for buyer's guides.

Commission Action: Approved

28. Case No.: 2015018891

Respondent/Dealer received an Agreed Citation for issuing two (2) more temporary tags than allowed by law and for fraudulent and/or deceptive acts for failing to timely provide title/registration to consumer. Respondent/Dealer is disputing the Agreed Citation and provided documentation from the auction confirming that there was an issue with the title and that the auction where the vehicle was purchased is working to get a corrected title to Respondent/Dealer.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for issuing two (2) more temporary tags than allowed by law (\$500 x 2 tags), to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

29. Case No.: 2015018561

Respondent/Dealer received an Agreed Citation for failure to maintain a county business license. Respondent/Dealer is contesting the Agreed Citation.

Recommendation: Authorization of a civil penalty in the amount of Two Hundred Fifty Dollars (\$250) for failure to maintain a county business license, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

30. Case No.: 2015017141

Respondent/Salesperson received an Agreed Citation for acting as a salesperson with an expired license. Respondent/Salesperson has since paid the Agreed Citation.

Recommendation: Close

Commission Action: Approved

31. Case No.: 2015017711

Complainant alleged that Respondent knowingly accepted and submitted false income to obtain financing for his soon to be ex-wife. Investigation revealed that Respondent's ex-wife has an order of protection against complainant and the ex-wife feels that this complaint was another attempt at harassing her and/or obtaining her personal information. Upon review of the deal file, Complainant's ex-wife obtained financing based on her information, and no evidence of a violation was found.

Recommendation: Close

Commission Action: Approved

32. Case No.: 2015019141

Complaint alleged Respondent was engaged in unlicensed sales. Investigation conducted to determine extent of unlicensed activity. During investigation it was found the Respondent was attempting to buy and sell cars in Tennessee on a Georgia salesperson license. Investigation uncovered only one car sold in Tennessee.

Recommendation: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) (\$500 x 1 unlicensed sale) to be settled by consent order or formal hearing.

Commission Action: Approved

33. Case No.: 2015020251

Complainant alleged Respondent refused to issue them the title to their motor vehicle until they paid additional fees on top of what they were told they were required to pay. Investigation conducted to determine if any violations had occurred. During investigation it was found that Respondent issued Complainant a bill of sale showing \$0 due, and continues to demand Complainant pay additional fees.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for one deceptive act. To be settled by consent order or formal hearing.

Commission Action: Approved

34. Case No.: 2015019061

Complainant alleged Respondent engaged in a deceptive/fraudulent act by signing Complainant up for a credit card without Complainant's permission. Investigation sent to

determine whether any violation occurred. During investigation, Complainant was uncooperative and Respondent stated the situation had been resolved.

Recommendation: Close

Commission Action: Approved

35. Case No.: 2015018041

Complaint alleged Respondent failed to timely issue title and had provided multiple temporary tags. Investigation conducted to determine extent of violations. During investigation Respondent dealer was found to be closed. Surety bond sent.

Recommendation: Close and Flag

Commission Action: Approved

36. Case No.: 2015018291

Complainant alleged Respondent engaged in deceptive/fraudulent acts by improperly signing title and refusing to assist with correcting issue. Investigation sent to determine whether any violation occurred. During investigation, Complainant was uncooperative and Respondent stated the situation had been resolved.

Recommendation: Close

Commission Action: Approved

**37. Case No.: 2015018301
2015018302
2015018303
2015018304
2015018305
2015018306
2015018307
2015018308
2015018309**

NOV issued to Respondent 1 dealer for unlicensed activity and Respondents 2 through 9 salespeople for unlicensed activity. Inspection conducted to determine extent of violations. During investigation, it was found that Respondent 1 dealer moved dealership locations and failed to notify the Commission of its relocation. Respondent 1 dealer, upon learning of its error, immediately applied for a new dealership license.

Recommendation:

Respondent 1: Authorization of a civil penalty in the amount of \$5,000 (1 x \$1,000 for failure to promptly notify commission of a change in location and (8 x \$500) for employing unlicensed sales people)

Respondent 2: Letter of Warning

Respondent 3: Letter of Warning

Respondent 4: Letter of Warning

Respondent 5: Letter of Warning

Respondent 6: Letter of Warning

Respondent 7: Letter of Warning

Respondent 8: Letter of Warning

Respondent 9: Letter of Warning

Commission Action: Approved

**38. Case No.: 20150212181
20150202111**

Complainant alleged Respondent failed to timely issue them a title. Investigation conducted to determine whether any violation had occurred. During investigation, it was found that correct title had been received by Complainant, and Complainant was satisfied.

Recommendation: Close

Commission Action: Approved

39. Case No.: 20150215741

Commission received information stating Respondent was operating on a canceled surety bond. Investigation conducted to determine extent of violations. During investigation it was found that surety bond had been cancelled, and while bond was cancelled, Respondent sold thirteen (13) motor vehicles. During investigation, Respondent obtained a valid surety bond.

Recommendation: Authorization of a civil penalty in the amount of \$7,500 consisting of \$1,000 x 1 instance of failure to maintain surety bond and \$500 x 13 instances of unlicensed activity. To be settled by consent order or formal hearing.

Commission Action: Approved

40. Case No.: 20150220641

Commission received information alleging Respondent engaged in unlicensed activity by selling motor vehicles from in front of its place of business. Investigation conducted to determine the extent of unlicensed activity. During investigation Respondent was found to have three (3) motor vehicles for sale which were not titled in Respondent's name.

Recommendation: Authorization of a civil penalty in the amount of \$1,500 consisting of 3 x \$500 for unlicensed sales. To be settled by consent order or formal hearing.

Commission Action: Approved

41. Case No.: 20150214241

Respondent/Dealer received an Agreed Citation for two (2) off-site sales. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for two (2) off-site sales, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

42. Case No.: 20150214291

Respondent/Dealer received an Agreed Citation for failure to properly maintain a temporary tag log (NOV received in 2014 for same violation), missing temporary tags and possession of open titles. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Five Thousand Dollars (\$5,000); One Thousand Dollars (\$1,000) for two (2) open titles (2 x \$500); Four Thousand Dollars (\$4,000) for failure to properly maintain temporary tag log (2nd offense), to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

43. Case No.: 20150215011

Respondent/Dealer received an Agreed Citation for failure to keep five (5) voided temporary tags. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Two Thousand Five Hundred Dollars (\$2,500) for failure to keep five (5) voided temporary tags (5 x \$500), to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

44. Case No.: 20150215061

Respondent/Dealer received an Agreed Citation for failure to maintain a temporary tag log and for failure to maintain a current city and/or county business license. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Five Hundred Dollars (\$1,500); One Thousand Dollars (\$1,000) for failure to maintain a temporary tag log and Five Hundred Dollars (\$500) for failure to maintain a current city and/or county business license, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

45. Case No.: 20150215121

Respondent/Dealer received an Agreed Citation for advertising one (1) vehicle at a vehicle show in Tennessee. Respondent is a licensed motor vehicle dealer from Kentucky. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein. There is a lack of evidence to prove that Respondent/Dealer sold or attempted to sell more than five (5) vehicles in a twelve (12) month period.

Recommendation: Close

Commission Action: Approved

46. Case No.: 20150215141

Respondent, a Florida resident, received an Agreed Citation for having six (6) vehicles advertised for sale at a vehicle show in Tennessee. Respondent has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for one count of unlicensed activity, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

47. Case No.: 20150215161

Respondent/Dealer received an Agreed Citation for advertising four (4) vehicles at a vehicle show in Tennessee. Respondent is a licensed motor vehicle dealer from Indiana. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein. There is a lack of evidence to prove that Respondent/Dealer sold or attempted to sell more than five (5) vehicles in a twelve (12) month period.

Recommendation: Close

Commission Action: Approved

48. Case No.: 20150216481

Respondent/Dealer received an Agreed Citation for possession of one (1) open title. Respondent has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for possession of one (1) open title, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

49. Case No.: 20150218921

Respondent/Dealer received an Agreed Citation for failure to maintain a temporary tag log. Respondent has not paid the Agreed Citation nor disputed the facts therein. Respondent's second offense in two years for failure to maintain temporary tag log.

Recommendation: Authorization of a civil penalty in the amount of Five Thousand Dollars (\$5,000) for failure to maintain a temporary tag log, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

50. Case No.: 20150219431

Respondent/Dealer received an Agreed Citation for failure to maintain temporary tag log. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for failure to maintain a temporary tag log, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

51. Case No.: 20150219451

Respondent/Dealer received an Agreed Citation for issuing more temporary tags than allowed by law to one (1) consumer. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for issuing more temporary tags than allowed by law to one (1) consumer, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

52. Case No.: 20150219471

Respondent/Dealer received an Agreed Citation for failure to maintain a current city and/or county business license. Respondent/Dealer has not paid the Agreed Citation nor disputed the facts therein.

Recommendation: Authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for failure to maintain a current city and/or county business license, to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

53. Case No.:

	20150222901	20150215221	20150227061
20150215261	2015017991	20150213881	20150227961
20150213091	2015019171	20150215951	20150224351
2015019831	2015019211	20150220311	20150214901
20150216261	2015019661	20150222321	20150215791
20150219551	2015020531	20150226201	20150216291
20150220191	2015020671	20150226421	20150224061
20150222791	20150209541	20150226451	20150212101
20150222831	20150212161	20150226771	

Complaint(s) filed alleging Respondent failed to issue title. Respondents/dealers are now closed. Surety bond sent.

Recommendation: Close and Flag

Commission Action: Approved

54. Case No.: 2015019681

Complaint received alleging Respondent was engaging in unlicensed sales through Facebook. Investigation conducted to determine the extent of unlicensed sales. During investigation, Facebook profile was removed and Complainant would not cooperate. Respondent could not be located.

Recommendation: Close

Commission Action: Approved

**55. Case No.: 2015018161
20150219031**

Complaint received alleging Respondent failed to timely issue title. Investigation conducted to determine if any deceptive acts had occurred. Investigation found that motor vehicle had been titled. Further, complainant was uncooperative with investigation.

Recommendation: Close

Commission Action: Approved

56. Case No.: 2015017671

Complainant alleged Respondent was attempting to charge additional money in order to receive tag/title. Investigation was conducted to determine if any unlicensed activity occurring. Could only find evidence of one unlicensed sale by an individual, rules allow for five (5) sales.

Recommendation: Close

Commission Action: Approved

57. Case No.: 2015018061

Investigation revealed Respondent was operating an unlicensed dealership. Investigation was conducted to determine the extent of unlicensed activity. Investigation uncovered 101 bills of sale by Respondent since 2014, as well as an open title on the premises.

Recommendation: Authorization of a civil penalty in the amount of \$51,000 (101 x \$500 for unlicensed activity, \$500 x 1 for selling on an open title). To be settled by consent order or formal hearing.

Commission Action: Approved

58. Case No.: 2015017741

Complainant alleged Respondent incorrectly dealt with taxes on motor vehicle. Review of complaint and documents revealed no violation.

Recommendation: Close

Commission Action: Approved

59. Case No.: 20150212231

Complainant alleged Respondent deceived them by selling them a car for an amount over the list price. Investigation was conducted to determine if any deceptive acts had occurred. Investigation revealed the motor vehicle in question was marked up by \$1,139 due to a clerical error. Respondent offered to refund the \$1,139 to Complainant, but Complainant refused offer.

Recommendation: Authorization of a civil penalty in the amount of \$1,000 for 1 deceptive act. To be settled by consent order or formal hearing.

Commission Action: Approved

60. Case No.: 20150212071

Complainant alleged Respondent sold them a motor vehicle with a salvaged title without disclosing material fact. Investigation was conducted to determine the extent of any deceptive acts. During investigation it was found that buyer's guide was marked "rebuilt title." Further, Complainant did not cooperate with investigation.

Recommendation: Close

Commission Action: Approved

61. Case No.: 2015020441

Complaint received alleging Respondent was operating as an unlicensed motor vehicle dealer. Investigation conducted to determine the extent of unlicensed activity. During investigation, Respondent was found to have sold 35 motor vehicles over the last year.

Recommendation: Authorization of a civil penalty in the amount of \$17,500 (35 unlicensed sales x \$500). TO be settled by consent order or formal hearing.

Commission Action: Approved

62. Case No.: 2015020051

Complainant alleged Respondent failed to timely issue title/tags. Investigation conducted to determine if any deceptive acts occurred. During investigation it was found that Respondent dealership is now closed and Complainant received title.

Recommendation: Close

Commission Action: Approved

63. Case No.: 2015020221

Complainant alleged Respondent was refusing to issue title; investigation was conducted to determine if any deceptive acts had taken place. During investigation it was revealed that Respondent is holding Complainant's title until sales taxes are paid on the vehicle. A review of the bill of sale found that the bill of sale failed to use correct truth in lending disclosure. Further, bill of sale does not disclose the APR, the number of payments to be made and the total amount due was calculated incorrectly.

Recommendation: Authorization of a civil penalty in the amount of \$3,000 (2 deceptive acts x \$500, 4 violations of state/federal law x \$500). To be settled by consent order or formal hearing.

Commission Action: Approved

64. Case No.: 2015020491

Complainant alleged they were deceived by Respondent in regards to warranty purchased and warranty coverage. Investigation was conducted to determine whether any violations occurred. Investigation revealed Bill of Sale stated "As is, no warranty" however Respondent did receive a third party warranty and the motor vehicle in question was still under a manufacturer warranty.

Recommendation: Authorization of a civil penalty in the amount of \$1,000 for one deceptive act. To be settled by consent order or formal hearing.

Commission Action: Approved

65. Case No.: 20150210861

Complainant alleged Respondent refused to release title/tags until additional sales tax was paid. Complainant stated sales taxes had been paid at time of purchase. Investigation conducted wherein Respondent admitted to violation. Complainant has now received title.

Recommendation: Authorization of a civil penalty in the amount of \$1,000 for one deceptive act. To be settled by consent order or formal hearing.

Commission Action: Approved

66. Case No.: 20150210901

Complaint alleged Respondent engaged in odometer tampering, investigation conducted to determine whether any violations occurred. During investigation it was found that the issue had been settled out of court. Respondent advised investigator that they did not tamper with the odometer and Complainant was uncooperative with investigation. No evidence found of odometer tampering.

Recommendation: Close, refer to Department of Safety.

Commission Action: Approved

67. Case No.: 2015020851

Complainant alleged Respondent sold them a motor vehicle with mechanical issues and tampered with the check engine light. Investigation conducted to determine the presence of any violations that may have occurred. Investigation revealed the motor vehicle was purchased "as is." Further, Complainant did not respond to attempts to obtain sworn statement.

Recommendation: Close

Commission Action: Approved

68. Case No.: 20150215201

Complaint alleged Respondent was operating as an unlicensed dealer. Investigation conducted to determine extent of unlicensed activity. Respondent statement and evidence shows Respondent runs a tow and repair shop, all vehicles sold had a mechanic's lien.

Recommendation: Close

Commission Action: Approved

**69. Case No.: 2015020471
2015020472**

Complainant alleged Respondent 1 dealer took his vehicle as trade in and sold it with an open title. Investigation conducted to determine the truth of allegations. Investigation revealed that Respondent 2 salesperson, who works for Respondent 1 dealer, personally bought Complainant's motor vehicle at Respondent 1 dealer's premises. Respondent 2 salesperson then sold the motor vehicle in question on an open title. Complainant has received parking tickets and other citations since the sale.

Recommendation:

Respondent 1: Authorization of a civil penalty in the amount of \$500 for one instance of failure to supervise employee. To be settled by consent order or formal hearing.

Respondent 2: Authorization of a civil penalty in the amount of \$1,000 for selling a motor vehicle on open title. To be settled by consent order or formal hearing.

Commission Action: Approved

70. Case No.: 20150215241

Complainant alleged Respondent titled their motor vehicle incorrectly. Investigation conducted to determine if any deceptive acts had taken place. During investigation it was found that title work had been corrected and Complainant was now satisfied.

Recommendation: Close

Commission Action: Approved

71. Case No.: 2015019811

Complainant alleged Respondent dealer sold him an illegally imported car from Canada. Investigation conducted to determine whether any violations had occurred. Investigation revealed Carfax report stating vehicle was properly imported and declared to meet US highway safety specification.

Recommendation: Close, refer to NHTSA.

Commission Action: Approved

72. Case No.: 20150214961
20150214962

Complaint received alleging Respondent 1 dealer employed Respondent 2 salesperson while Respondent 2's salesperson license was expired. Investigation conducted to determine the extent of unlicensed sales. During investigation it was found that Respondent 2 did not renew salesperson license because he owns Respondent 1 dealer and believed he did not need a separate sales person license. Respondent 2 sold vehicles while license was expired. New salesperson license has been obtained by Respondent 2.

Recommendation:

Respondent 1: Authorization of a civil penalty in the amount of \$5,000 for employing unlicensed sales person. To be settled by consent order or formal hearing.

Respondent 2: Letter of Warning

Commission Action: Approved

73. Case No.: 20150212251

Complainant alleged Respondent failed to issue title in a timely manner, investigation was conducted. During investigation, Respondent was found to have issued 4 temporary tags to Complainant. Additionally, during investigation, title/tags were issued to Complainant.

Recommendation: Authorization of a civil penalty in the amount of \$1,000 for two instances of issuing more temporary tags than allowed by law. To be settled by consent order or formal hearing.

Commission Action: Approved

74. Case No.: 20150226771

Complainant alleged that Respondent failed to produce title/registration. Respondent's business closed and the bond canceled.

Recommendation: Close and Flag.

Commission Action: Approved

**75. Case No.: 2015020281
2015021111**

Complaints alleged Respondent failed to timely issue title. Investigation conducted to determine whether any deceptive acts had occurred. Investigation revealed that both Complainants did timely receive title.

Recommendation: Close

Commission Action: Approved

76. Case No.: 2015018401

Complaint opened following Staff's receipt of report of unlicensed sales. Investigation conducted to determine the extent of any unlicensed activity by Respondent. Investigation revealed Respondent sold 8 motor vehicles over a 12 month period.

Recommendation: Authorization of a Civil Penalty in the amount of \$1,500 (\$500 x 3 unlicensed sales). To be settled by consent order or formal hearing.

Commission Action: Approved

**77. Case No.: 2015020301
2015020302**

Complaint opened following Staff receipt of allegations of curbstoning, investigation conducted to determine the extent of unlicensed sales. Investigation revealed that Respondent 1 dealer had authorized Respondent 2 individual to operate as an independent contractor purchasing motor vehicles at auction under Respondent 1 dealer's name. Respondent 2 individually purchased the vehicles with his own funds, titled the vehicle in Respondent 1 dealer's name, and sold the vehicles on Respondent 1 dealer's lot. Vehicles were advertised on Respondent 1 dealer's website and paperwork completed by Respondent 1. Respondent 2 purchased 46 vehicles in Respondent 1's name, 30 were advertised and 11 were sold. Respondent 2 was previously licensed at Respondent 1 dealer as a salesperson but license expired in 2013. Respondents 1 and 2 admitted to these facts.

Recommendation:

Respondent 1: Authorization of revocation of motor vehicle dealership license for employment of unlicensed salespeople and deceptive/false acts. To be settled by consent order or formal hearing.

Respondent 2: Authorization of a civil penalty in the amount of \$23,000 (46 unlicensed sales x \$500). To be settled by consent order or formal hearing.

Commission Action: Approved

78. Case No.: 20150219591

Information was received by staff that Respondent was acting as an unlicensed dealer. At time of investigation, no vehicles were advertised for sale and Respondent denied buying or selling vehicles. Respondent provided the investigator an affidavit attesting to the fact that he does not buy or sell vehicles and the county clerk was unable to provide any title transfers suggesting otherwise. Insufficient proof of violations.

Recommendation: Close

Commission Action: Approved

79. Case No.: 20150213211

Complainant alleged that Respondent had issued three (3) or four (4) temporary tags and refused to provide her with a title or registration. During the course of an investigation, Respondent denied the allegations and stated that Complainant had allowed her sister to take possession of the vehicle shortly after purchasing. Both the Complainant and the Respondent agree that the vehicle was towed to the dealership for mechanical repairs, but Complainant has not paid the bill or past due payments. Additionally, Respondent was able to provide the investigator with an original copy of the registration and title registered to Complainant. While Respondent's temporary tag log was in order, and the investigator was only able to find one (1) temporary tag issued to Complainant, the investigator did find that Respondent was in possession of three (3) open titles.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Five Hundred Dollars (\$1,500) for possession of three (3) open titles (\$500 x 3 open titles), to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

80. Case No.: 20150216821

Complainant alleged that Respondent had issued four (4) temporary tags and had not provided him with the title or registration. During the course of the investigation, Respondent admitted that there was a delay in providing Complainant with his title and that the dealership did issue a total of four (4) temporary tags before mailing Complainant's title to him by certified mail. The investigator was unable to contact the Complainant for his statement at the number provided.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for issuing two (2) more temporary tags than allowed by law (\$500 x 2 temporary tags), to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

81. Case No.: 20150215721

Staff received notice that Respondent's garage liability insurance had canceled and Respondent did not respond to correspondence regarding the canceled insurance. During the course of an investigation, Respondent denied knowing that his insurance had canceled, but asked that the investigator contact his insurance agent regarding the cancellation notice received by Staff. Upon contacting the insurance agent, the investigator found that there was no period where Respondent was without insurance.

Recommendation: Close

Commission Action: Approved

82. Case No.: 20150218071

Complainant alleged that Respondent had failed to provide him with a title or registration since purchasing the vehicle three (3) years ago and was not aware that there was an issue until he was cited by the police for improper registration. During the course of the investigation, it was found that Respondent/Dealership had been sold to new owners since Complainant purchased his vehicle, but that the new owners had worked out a settlement agreement with Complainant. Respondent admitted that since the acquisition of the dealership, they were unable to locate the original deal file for Complainant, but had entered into a Release of all Claims with Complainant and reimbursed him all monies paid on the vehicle. After being contacted by the investigator, Complainant confirmed that Respondent/Dealership had reimbursed him all money paid, but failed to provide the investigator with a signed affidavit attesting to these facts. Respondent/Dealer provided the investigator with a copy of the signed Release of all Claims document.

Recommendation: Close

Commission Action: Approved

83. Case No.: 20150212041

During an annual inspection, inspector observed four (4) vehicles displayed for sale. The inspection was forwarded to legal and then sent out for an investigation. During the course of the investigation, four (4) vehicles were observed at the same location with for sale signs matching the telephone number from the previous inspection. Upon contacting Respondent, the investigator met and reviewed proof of ownership documentation for each vehicle. It was determined that Respondent was in possession of two (2) open titles. Respondent denied selling more than five (5) vehicles per year. Investigator was unable to obtain additional evidence of unlicensed sales.

Recommendation: Authorization of a civil penalty in the amount of One Thousand Dollars (\$1,000) for possession of two (2) open titles (\$500 x 2 open titles), to be settled by Consent Order or Formal Hearing.

Commission Action: Approved

84. Case No.: 20150218421

Staff received information alleging Respondent was engaged in unlicensed sales and D/R activity. Investigation conducted to determine the extent of any violations. Investigation failed to reveal any evidence that Respondent was selling motor vehicles or motor vehicle parts; however, Respondent was in possession of dozens of open titles and had sold motor vehicles for scrap in the past.

Recommendation: Close, refer to scrap metal dealers, refer to TN Dept. of Revenue, refer to local Police Department.

Commission Action: Approved

85. Case No.: 20150212311

Complainant alleged Respondent sold their trade in before financing finalized on newly purchased vehicle. Financing fell through and Respondent did not give Complainant their trade in back. Investigation conducted to determine if any violations occurred. During investigation it was found that Respondent used incorrect conditional delivery form and the incorrect form was never signed by Complainants. Complainant was uncooperative.

Recommendation: Authorization of a civil penalty in the amount of \$1,000 (1 x \$500 for failure to follow all state and federal laws (conditional delivery form is

prescribed by state statute) plus 1 x \$500 for deceptive act of not having form signed). To be settled by consent order or formal hearing.

Commission Action: Approved

86. Case No.: 20150212251

Complainant alleged Respondent failed to issue title in timely manner and issued four (4) temporary tags. Investigation conducted to determine whether any violations occurred. Investigation found Respondent had issued four (4) temporary tags to Respondent, title issues resolved.

Recommendation: Authorization of civil penalty in the amount of \$1,000 (2 x \$500) for issuing more temporary tags than allowed by law. To be settled by consent order or formal hearing.

Commission Action: Approved

87. Case No.: 20150217621

Complainant alleged Respondent forged their signature on a second lease document which had less desirable terms. Investigation conducted to determine if any deceptive acts occurred. During investigation it was found that the GM and Salesperson responsible for deal in question are no longer employed at Respondent dealer, that there are two leases with signatures that do not appear to match, and that Complainant was damaged by approximately \$600 due to lease differences. Respondent offered \$600 to Complainant to make whole, but Complainant declined and is in process of suing dealership.

Recommendation: Authorization of a civil penalty in the amount of Five Thousand (\$5,000) for one false/fraudulent/deceptive act. To be settled by consent order or formal hearing.

Commission Action: Approved

**88. Case No.: 20150218831
20150218832
20150218833**

Staff received complaint from former employee of Respondent 1 dealer alleging Respondent 1 dealer and Respondent 2 salesperson were engaging in offsite sales and using Respondent 3 tow company as unlicensed sales person. Investigation conducted to

determine whether any violations occurred. Investigation was unable to located any offsite sale or any evidence that either of the Respondents violated any statute or rule.

Recommendation: Close

Commission Action: Approved

**89. Case No.: 20150212121
20150212122
20150212123
20150212124
20150212125**

Complaint alleged Respondent 1 engaged in unlicensed sales, investigation conducted to determine the extent of unlicensed activity. Investigation revealed that Respondent 1 sold six (7) motor vehicles individually while unlicensed. Additionally, Investigation found that Respondent 1 opened Respondent 2 dealership. During investigation, Respondent 2 dealership was found to have four (4) motor vehicles for sale that were not titled in Respondent 2's name. Investigation found no evidence of a violation by Respondent 3 dealer or Respondent 4 salesperson. Respondent 5 is the alias of Respondent 1.

Recommendation:

Respondent 1: Authorization of a civil penalty in the amount of \$1,000 for unlicensed activity (2 x \$500). To be settled by consent order or formal hearing.

Respondent 2: Authorization of a civil penalty in the amount of \$2,000 for deceptive acts (4 x \$500). To be settled by consent order or formal hearing.

Respondent 3: Close

Respondent 4: Close

Respondent 5: Close

Commission Action: Approved

90. Case No.: 2015017861

Complainant alleged Respondent falsified her income on financing paperwork. Investigation conducted to determine whether any deceptive or fraudulent acts occurred. Investigation was unable to substantiate claims of falsified paperwork.

Recommendation: Close

Commission Action: Approved

91. Case No.: 2015018121
2015018051
20150218832
20150218835

Duplicate case opened.

Recommendation: Close

Commission Action: Approved

92. Case No.: 2015018291

Complaint alleged Respondent completed title work with a clerical error and now Respondent refused to assist in correcting. Investigation conducted to determine whether deceptive acts occurred. Investigation found that Respondent had corrected title issues.

Recommendation: Close

Commission Action: Approved

93. Case No.: 2015019861
2015020021
2015020201
2015020481
2015020501
20150210621
2015021671
20150210751
20150210771
20150210951
20150211191
20150214881
20150217931
20150219611
20150219571
20150215761
20150213961

20150209701
20150209301

Complaint contained insufficient evidence or allegations of any violation of Motor Vehicle statutes or rules.

Recommendation: Close

Commission Action: Approved

94. Case No.: 2015019881

Complainant alleged Respondent refuses to issue title now that loan is paid off. Investigation conducted to determine if any fraudulent or deceptive acts occurred. During investigation it was found that Respondent has issued title, but Complainant lost title. Respondent has now ordered a duplicate title and has forwarded duplicate title to Complainant.

Recommendation: Close

Commission Action: Approved

95. Case No.: 2015020031

Complainant alleged Respondent altered title/registration. Respondent previously investigated wherein they stated they had a rouge salesperson who defrauded multiple consumers. Salesperson is no longer employed and there was a warranted issued for salesperson's arrest.

Recommendation: Authorization of a civil penalty in the amount of \$2,000 (1 x \$1,000 for deceptive act and 1 x \$1,000 for failure to supervise employee). To be settled by consent order or formal hearing.

Commission Action: Approved

96. Case No.: 2015020351

Complainant alleged they had witnessed deceptive advertisements by multiple dealerships. Complainant contacted by Motor Vehicle Commission staff, however Complainant was uncooperative and withdrew complaint. No evidence of deceptive advertisements obtained.

Recommendation: Close

Commission Action: Approved

**97. Case No.: 20150205511
20150212141
20150215931**

Complainant alleged Respondent sold them a motor vehicle with mechanical issues. Reviewed attached documents, vehicle sold “as is, no warranty.”

Recommendation: Close

Commission Action: Approved

**98. Case No.: 20150213151
20150213152
20150213153**

Complainant alleged all three Respondents responsible for Complainant’s failure to timely receive title and tags for motor vehicle. Evidence obtained reveals that Complainant has received title and issue resolved.

Recommendation: Close

Commission Action: Approved

**99. Case No.: 20150219371
20150212294**

Complaint withdrawn or dispute resolved prior to Investigation being sent.

Recommendation: Close

Commission Action: Approved

100. Case No.: 20150217991

Complaint alleged Respondent failed to issue title in timely manner. Investigation conducted to determine whether any deceptive acts had occurred. Investigation revealed

there were initially some title issues due to the auction house where car was purchased, however title issues were resolved.

Recommendation: Close

Commission Action: Approved

101. Case No.: 20150213991

Complainant alleged Respondent failed to timely issue title, investigation conducted to determine whether any deceptive acts occurred. Surety bond sent.

Recommendation: Close

Commission Action: Approved

102. Case No.: 20150215821

Complainant alleged Respondent advertised one price and sold them the vehicles at another price. Investigation conducted to determine if any deceptive act occurred. Investigation found that Respondent did advertise the motor vehicle at one price and sold at a separate price. Per salesman, he did not negotiate price, the General Manager did. General Manager was fired from Respondent dealership and no sworn statement could be obtained.

Recommendation: Authorization of a civil penalty in the amount of \$1,000 for deceptive advertising. To be settled by consent order or formal hearing.

Commission Action: Approved

103. Case No.: 20150214861

Complainant alleged Respondent forged their name to paperwork. Investigation conducted to determine whether any fraudulent activity had occurred. Investigation revealed no evidence to support allegations, Complainant was uncooperative.

Recommendation: Close

Commission Action: Approved

104#. Case No.: 20150213931

Complaint alleged Respondent failed to issue timely title and issued too many temporary tags. Investigation conducted to determine if any violations have occurred. Investigation revealed that it took Respondent dealer 6 months to issue title and that Respondent dealer issued three temporary tags to Complainant. Respondent has had multiple similar violations in the past.

Recommendation: Authorization of a civil penalty in the amount of \$4,000 (1 x \$2,000 for issuing too many temporary tags, 1 x \$2,000 for failure to issue title in a timely manner/deceptive act). To be settled by consent order or formal hearing.

Commission Action: Approved

**105#. Case No.: 2015017411
2015018191**

Complaints alleged Respondent dealerships 1 and 2 (separate legal entities with majority ownership) sent out advertisements appearing to show Complainants as having won a new video game console, however, when Complainants appeared at dealership they did not receive a new video game console. Investigation conducted to determine whether a deceptive advertisement was sent out by Respondents and if any additional consumers injured. Investigation revealed Complainant's allegations were true, the advertisement was widely disbursed and appeared deceptive, and that the Tennessee Attorney General's Office was also investigating the advertisements in question. Upon review with Respondent's counsel, Respondents settled Attorney General case for \$7,500 and issued new video game consoles to Complainants following complaints being filed.

Recommendation: Authorization of a civil penalty in the amount of \$9,000 (2 x \$4,500 for deceptive advertisement). Civil penalty to be reduced dollar for dollar in accordance with amounts paid to attorney general. To be settled by consent order or formal hearing.

Commission Action: Approved

RE-PRESENTATIONS

1#. Case No.: 2015017701

Respondent was assessed a civil penalty in the amount of \$7,000 at the October 2015 meeting. Violations stemmed from Respondent's employment of an unlicensed sales person. Civil penalty consisted of 5 x \$1,000 for unlicensed sales and 1 x \$2,000 for employing an unlicensed sales person. Respondent requests the matter be reconsidered in light of the fact that Respondent had no knowledge that he was violating a statute due to a misunderstanding of the law. Respondent also asserts civil penalty should be reduced due to his long history of good behavior with the motor vehicle commission.

Recommendation: Authorization of a civil penalty in the amount of \$3,500 to be settled by consent order or formal hearing.

Commission Action: Approved

**2#. Case No.: 2015009911
2015004921**

Respondent assessed a civil penalty in the amount of \$9,000 (\$500 x 14 temporary tag violations + \$2,000 for failure to maintain a temporary tag log.) Further investigation shows that Respondent was already penalized for failure to maintain temporary tag log on a prior consent order. Additionally, prior consent order overlapped on two of the temporary tag violations.

Recommendation: Authorization of a civil penalty in the amount of \$6,000 consisting of \$500 x 12 temporary tag violations. To be settled by consent order or formal hearing.

Commission Action: Approved

3#. Case No.: 2015012082

Respondent assessed a civil penalty in the amount of \$1,000 at the October 2015 meeting for failure to properly title a motor vehicle it sold. Respondent has since provided additional evidence showing that the motor vehicle in questions was actually returned shortly after the sale and Respondent did not have sufficient time to title the motor vehicle prior to return.

**Recommendation: Close
Commission Action: Approved**

4#. Case No.: 2013022471

Respondent assessed a civil penalty in the amount of \$1,000 for temporary tag violations. Additional evidence has come to light, and following discussions between Respondent and litigator, it is recommended this case be close.

Recommendation: Close

Commission Action: Approved

5#. Case No.: 2014017161

Respondent issued a notice of violation in July of 2015 for failure to produce temporary tag log as well as failure to produce county business license. Following discussions between Respondent and litigation attorney, and review of additional information included that Respondent dealer is now closed, it is recommended this case be closed.

Recommendation: Close and flag

Commission Action: Approved

6#. Case No.: 2014031691

Respondent issued a civil penalty at the October 2015 meeting in the amount of \$500.00 for selling a motor vehicle on an open title. Following discussions with Respondent, and review of the relevant documents, it was determined that the title in question was not an open title.

Recommendation: Close

Commission Action: Approved

7#. Case No.: 2013018471

Original complaint opened for Respondent operating on expired motor vehicle dealer license. Per litigation attorney, respondent dealership now out of business, dealership license expired/inactive. Litigator unable to proceed with litigation.

Recommendation: Close and flag

Commission Action: Approved

8#. Case No.: 2015011201

Respondent issued a civil penalty at the October 2015 meeting in the amount of \$19,500 for unlicensed sales and employing unlicensed sales person. Upon further review of additional facts and statements, as well as discussions with legal counsel, it is recommended civil penalty be reduced in order to settle matter without additional litigation.

Recommendation: Authorization of a civil penalty in the amount of \$9,250 to be settled by consent order or formal hearing.

Commission Action: Approved

9#. Case No.: 2015017171

Respondent was issued a civil penalty at the October 2015 meeting in the amount of \$49,500 for 79 unlicensed sales by 10 unlicensed sales people. Upon further review of additional facts and statements, as well as discussions with legal counsel, it is recommended civil penalty be reduced in order to settle matter without additional litigation.

Recommendation: Authorization of a civil penalty in the amount of \$29,900 to be settled by consent order or formal hearing.

Commission Action: Approved

**10#. Case No.: 2014011311
2014011312
2014003631
2014036311**

Commission originally authorized revocation of Respondent's dealer license. Dealership has since closed and license expired.

Recommendation: Close and Flag

Commission Action: Approved

**11#. Case No.: 2015002791
2015002931
2015001301**

2015009011
2015014451

Commission originally authorized civil penalties against Respondents.
Respondent/Dealership has since closed.

Recommendation: Close and Flag

Commission Action: Approved

12#. Case No.: 2015002401

Commission originally authorized a civil penalty in the amount of One Thousand Dollars (\$1,000) for failure to maintain liability insurance. Respondent license has since expired.

Recommendation: Close and flag

Commission Action: Approved

13#. Case No.: 2015002411

Commission originally authorized a civil penalty in the amount of One Thousand Dollars (\$1,000) for failure to maintain liability insurance. Respondent has since closed.

Recommendation: Close and flag

Commission Action: Approved

14#. Case No.: 2015002421

Commission originally authorized a civil penalty in the amount of One Thousand Dollars (\$1,000) for failure to maintain liability insurance. Respondent has since closed.

Recommendation: Close and flag

Commission Action: Approved

15#. Case No.: 201302518

Commission originally authorized a civil penalty against Respondent in the amount of \$500, however, upon additional review of documents and discussion with Litigation Attorney, there is insufficient evidence to show Respondent sold any motor vehicle in the state of Tennessee. Additionally, Litigation Attorney is unable to locate Respondent in order to serve notice of a formal hearing.

Recommendation: Close and flag

Commission Action: Approved

16#. Case No.: 2015014071

Respondent assessed a civil penalty in the amount of \$1,750 for failure to maintain county business license and three missing temporary tags. Upon review of additional evidence provided by attorney, Respondent was in possession of a valid, unexpired county business license at time of inspection. Further, Respondent never received the three temporary tags and filed a police report prior Commission authorizing penalty.

Recommendation: Close

Commission Action: Approved

Chairman Roberts entertained a motion to approve the legal report. Commissioner Jackson made a motion to adopt the legal report, seconded by Commissioner Vaughan.

VOICE VOTE - UNANIMOUS

Motion Carried

Legislative Update

HB 0443

SB 508

ON MARCH 23, 2015, THE SENATE ADOPTED AMENDMENT #1 AND PASSED SENATE BILL 508, AS AMENDED.

AMENDMENT #1 rewrites this bill. Present law generally requires that persons who purchase motor vehicles at automobile auctions must be licensed motor vehicle dealers. This amendment creates exemptions to present law, whereby a motor vehicle dealer license would not be required to:

(1) Purchase nonrepairable or salvage vehicles from an automobile auction that primarily sells motor vehicles on consignment and

sells at least 10,000 nonrepairable vehicles and/or salvage vehicles annually in Tennessee; or (2) Purchase nonrepairable or salvage vehicles from an automobile auction if the vehicles to be purchased weigh less than 10,000 pounds, have a value less than \$4,000, and are not covered under the Tennessee Consumer Protection Act of 1977.

This amendment specifies that it does not limit:

- (A) The sale of nonrepairable or salvage vehicles to any nonresident; or
- (B) The sale of nonrepairable salvage vehicles titled in another state.

THIS BILL IS IN TRANSPORTATION COMMITTEE AND HAS BEEN DEFERRED TO 2016.

HB 1443 *Pody
SB 1476 *Beavers

Motor Vehicles - As introduced, reduces, from 60 days to 14 days, the maximum period of time in which a person engaged in towing and storing motor vehicles may charge the vehicle's owner or lienholder a storage fee. - Amends TCA Title 47 and Title 55, Chapter 23.

HB 1450

Under present law, for any transfer of title of a passenger motor vehicle that has been wrecked, damaged, dismantled, or rebuilt, the department of revenue is required to provide written notice on the certificate of title that the vehicle was previously issued a title that bore any word or symbol signifying that the vehicle had been rebuilt, reconstructed, is a salvage vehicle, or other similar categorization.

Generally, a "passenger motor vehicle" is any vehicle driven on and manufactured for use on public streets, roads, or highways, and is 10 years old or less but does not include a motorcycle. This bill removes the exemption for motorcycles from the above provisions, thereby requiring that the above described present law procedures be followed when title to a motorcycle is transferred.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS

Assistant Counsel Reddish conveyed to the Commission that the change of language in the proposed rule was read previously, however, the economic impact statement and regulatory flexibility analysis was not read into the record at the previous meeting. Assistant Counsel Reddish then read both the economic impact statement and regulatory flexibility analysis into the record.

Chairman Roberts entertained a motion to approve the economic impact statement and regulatory flexibility analysis. Commissioner Jackson made a motion to approve, seconded by Commissioner Murrey.

ROLL CALL VOTE

Eddie Roberts	YES
Jim Galvin	YES
Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	YES
Ian Leavy	YES
Kahren White	YES

NEW BUSINESS

The changes to this rule were read into the record by Assistant General Counsel, Matthew E. Reddish.

Chapter 0960-01
General Rules
Amendments

Rule 0960-01-.06 [NOTICE OF TERMINATION, CANCELLATION OR NON-RENEWAL] is amended by adding the following language as a new paragraph (2) and renumbering the existing paragraph (2) as paragraph (3) so that, as amended, the rule shall read:

(1) In the event that a manufacturer, distributor, manufacturer or distributor branch or manufacturer or distributor representative determines that the franchise of an existing motor vehicle dealer should be terminated or cancelled or should not be renewed, it shall give written notice to the dealer and to the Tennessee Motor Vehicle Commission at least sixty (60) days prior to the effective date of the termination, cancellation or non-renewal. This notice shall contain a concise statement of the reasons for the termination, cancellation or non-renewal of the franchise. Upon application of the person cancelling, terminating or failing to renew a franchise and with notice to the dealer affected thereby, the Commission may permit a cancellation, termination or non-renewal of a franchise upon less than sixty (60) days' notice it determines in writing that a lesser notice period is justified in light of the circumstances surrounding the cancellation, termination or non-renewal.

(2) Where a manufacturer, distributor, manufacturer or distributor branch or manufacturer or distributor representative has issued the notice of termination or non-renewal as provided above has taken such action without issuing the notice or has otherwise threatened to terminate the dealership the affected dealer shall have the right within the 60 day period following receipt of the notice or action to petition to file a protest with the Tennessee Motor Vehicle Commission within the 60 day period following receipt of the notice or action, to petition for a declaratory order in accordance with TCA 4-5-223 as to the applicability of TCA 55-17-114(c)(3) and/or (c)(21) to the proposed or threatened termination. Upon the filing of such petition, the Tennessee Motor Vehicle Commission shall convene a contested case hearing for the purpose of determining whether the action of the manufacturer or distributor is (a) unfair, (b) without due regard to the equities, or (c) without just provocation as provided within T.C.A 55-17-114(c)(3) and/or (c)(21). The manufacturer or distributor thereof shall be served with the petition and shall be a party to the contested case hearing.

(3) Failure of a manufacturer, distributor, manufacturer or distributor branch or manufacturer or distributor representative to give adequate notice pursuant to Rule 0960-01-.06 (1) or to keep the franchise in full force and effect pending a final determination by the Commission or to abide by the Commission's final order may result in the Commission's refusal to issue a motor vehicle dealer's license to another dealership selling the same trade name and linemake of motor vehicles as the affected dealer or doing business in the same relevant market area as the affected dealer. This remedy is in addition to any other remedy provided in T.C.A §55-17-101 et seq.

Commissioner Vaughan made a motion to adopt the rule as read, seconded by Commissioner Norton.

ROLL CALL VOTE

Eddie Roberts YES
Jim Galvin YES

Ronnie Fox	YES
Nate Jackson	YES
John Murrey	YES
Reed Trickett	YES
Stan Norton	YES
Don Parr	YES
Farrar Vaughan	YES
Lynn Webb	YES
Steve Tomaso	ABS
Ian Leavy	ABS
Kahren White	YES

MOTION CARRIED.

OLD BUSINESS

Meeting Adjourned

Eddie Roberts, Chairman