

**Georgia State Board of Registration of Used Motor Vehicle
Dealers Hearings
February 20, 2008**

A Public Hearing of The Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers (Used Car Division) was held on February 20, 2008 at 237 Coliseum Drive, Macon, Georgia. Mr. Jeff Wilkinson, Chairman, called the meeting to order at 9:07 AM.

The purpose of the Public Hearing is to provide licensees an opportunity to appeal their Inspection Citations.

A quorum was established with members present being: Jeff Wilkinson, Chairman; Dewell Sanford, Vice Chair; Michael Bradley; Donny Riner; Diana Waldrop; Phil Nowicki and Victor Hudson with the Governor's Office of Consumer Affairs; and Doug Hooper with the Department of Revenue.

Others present were as follows: Steve Lindsey, Executive Director; Kathy Bradley, Board Secretary; Graham Barron, Assistant Attorney General and Melinda D. Flewellyn, Certified Court Reporter with Claude Joiner Reporting Service.

Executive Session:

Donny Riner moved to enter into Executive Session to deliberate on the appeals of the inspection fines, as authorized by O.C.G.A. § 43-1-2 (k) and 43-1-19 (h). Dewell Sanford seconded the motion. The motion was carried by Jeff Wilkinson, Diana Waldrop, Michael Bradley, Doug Hooper, Phil Nowicki, and Victor Hudson. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

Final Decisions:

Phil Nowicki made a motion, Michael Bradley seconded and the motion was carried by Jeff Wilkinson, Donny Riner, Diana Waldrop, Victor Hudson, Dewell Sanford, and Doug Hooper to take the following actions:

Norman Webb with Affordable Cars of Tucker did not keep the scheduled appointment with the Board. Affordable Cars of Tucker, Tucker, GA: \$78,000 for 78 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 78 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

A & J Motorsports, Inc., Saint Marys, GA: \$2,250 for 9 violations of failure to post FTC Buyer's Guides on each vehicle offered for sale; \$7,000 for 7 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of

sale, 7 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case. The total fine is \$9,250.

Auto Access, Decatur, GA: \$3,250 for 13 violations of failure to post FTC Buyer's Guides on each vehicle offered for sale; \$250 for 1 violation for possession of an open title not properly assigned as prescribed by O.C.G.A. title 40; \$8,000 for 8 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 8 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case. The total fine is \$11,500.

Auto Super Center, Hinesville, GA: \$1,000 for 4 violations of failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case.

Carswell Cars/Park N Sell, Macon, GA: \$45,000 for 45 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 45 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Doreen Rutty with Distinctive Auto Brokers, Inc. did not keep the scheduled appointment with the Board. Distinctive Auto Brokers, Inc., Covington, GA: \$1,000 for 1 violation for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 1 violation for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

The Board denied the written request to reschedule another appointment for Eubanks Motors. Eubanks Motors, Macon, GA: \$5,000 for 5 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 5 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Justos Auto Sales, Decatur, GA: \$1,000 for 1 violation for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 1 violation for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Regency Auto Sales, Decatur, GA: \$2,000 for 2 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 2 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Harold Wilson Nwadeyi with Sky Motors did not keep the scheduled appointment with the Board. Sky Motors, Lake City, GA: \$1,000 for 1 violation for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 1

violation for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Universal Car Sales, Inc., Tucker, GA: \$1,750 for 7 violations of failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case.

Phillips Automotive, LLC, Macon, GA: \$15,000 for 15 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 15 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date; \$500 for 2 violations of possession of an open title not properly assigned as prescribed by O.C.G.A. Title 40 and close the case. The total fine is \$15,500.

Scott King with Slater & King Attorneys At Law made a Motion to Dismiss Citations and Fines for his clients: Acceptance Auto Sales, Lithia Springs, GA (2 locations); Cars and Credit (Atluc, LLC, dba), Decatur, GA; Georgia Car Mart LLC (Mr. King informed the Board of Georgia Car Mart LLC's ongoing tag and title litigation as a civil matter); Jay's Used Cars LLC, Tucker, GA; Quality First Used Cars LLC, Tucker, GA and close the cases .

Phil Nowicki made a motion, Michael Bradley seconded and the motion was carried by Jeff Wilkinson, Donny Riner, Diana Waldrop, Dewell Sanford, Victor Hudson, Phil Nowicki, and Doug Hooper to take the following actions:

Acceptance Auto Sales, Bankhead Hwy, Lithia Springs, GA: \$1,750 for 7 violations of failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case.

Acceptance Auto Sales, Peachtree St., Lithia Springs, GA: \$24,000 for 24 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 24 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date; \$5,250 for 21 violations of failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case. The total fine is \$29,250.

Car Zone, Austell, GA: Waive the fine in full for 1 violation for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale and 1 violation for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Cars & Credit, Decatur, GA: \$15,000 for 15 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 15 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Georgia Car Mart, LLC, Roswell, GA: \$250 for 1 violation of possession of an open title not properly assigned as prescribed by O.C.G.A. Title 40 and close the case.

Jay's Used Cars, LLC, Tucker, GA: \$11,000 for 11 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 11 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Quality First Used Cars, LLC, Tucker, GA: \$21,000 for 21 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 21 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date; \$250 for 1 violation of failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case. The total fine is \$21,250.

All in One Auto Sales, Inc., Decatur, GA: \$10,000 for 10 violations for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 10 violations for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date; \$1,500 for 6 violations of possession of an open title not properly assigned as prescribed by O.C.G.A. Title 40; \$750 for 3 violations of failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case. The total fine is \$12,250.

Second Chance Motors, LLC, Marietta, GA: \$1,000 for 1 violation for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 1 violation for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

American Imports, Palmetto, GA: The dealer stated he was in the same location, so the Board asked Inspector Weathers to setup an appointment with the dealer to re-inspect for an Established Place of Business. Inspector Weathers and the licensee agreed to meet on Tuesday, February 26 at 12 o'clock noon.

Car Collection, Inc. Stone Mountain, GA: \$1,500 for 6 violations for failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case.

Gold Key Auto, Inc., Waycross, GA: \$1,000 for 4 violations for failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case.

Perry's Used Auto Sale, Warner Robins, GA: \$1,000 for 1 violation for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 1 violation for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Budget Car Sales, Douglas, GA: \$750 for 3 violations for failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case.

Lake View Motors, Woodstock, GA: \$2,000 for 8 violations for failure to post FTC Buyer's Guides on each vehicle offered for sale and close the case.

Phil Nowicki made a motion, Michael Bradley seconded and the motion was carried by Jeff Wilkinson, Donny Riner, Victor Hudson, Dewell Sanford, and Doug Hooper to take the following action:

Roswell Auto Imports, Roswell, GA: \$1,000 for 1 violation for failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale, 1 violation for failure to furnish appropriate documents required for tag transfer to the retail purchaser within 30 days of purchase date and close the case.

Diana Waldrop opposed the motion.

Other Business:

Jeff Wilkinson informed Board members of his meeting with Secretary Karen Handel. The Board requested Steve Lindsey to send an outline of the Progressive Disciplinary Actions to Secretary Handel.

Graham Barron informed Board members that two dealerships from the December 12, 2007 Hearings are appealing the Board's decisions to Superior Court. They are Aryn Motors of Tucker, GA and Georgia Motors, LLC of Loganville, GA.

The Georgia State Board of Registration for Used Motor Vehicle Dealers will hold their next regular scheduled Board Meeting on Wednesday, March 19, 2008 at 10 AM at the Professional Licensing Boards Division in Macon.

Adjournment:

There being no further business, the meeting adjourned at 4:52 PM.

Minutes were approved at the April 23, 2008 meeting.