

UMV&PC News
Consent Agreements
By ADR Staff

At the August 13, 2013, Used Motor Vehicle & Parts Commission (UMV&PC) meeting, two Consent Agreements were considered. Both were approved without change. Following is a summary of the facts regarding the Commission's investigations of each complaint, alleged violations, possible sanctions, and proposed agreement.

1. Allowing unlicensed individual to sell cars at unlicensed location; failure to maintain adequate records (approved).

In the first consent agreement to be considered, the Respondent, a licensed used motor vehicle dealer, had allowed an unlicensed individual to offer for sale and sell vehicles owned by Respondent at unlicensed locations. Review of Respondent's records indicated that this occurred at least three times. In addition, a review of Respondent's records indicated that Respondent failed to maintain required records of vehicles bought and sold. Sanctions could have resulted in the assessment of fines of up to \$1,000 per violation as well as suspension or revocation of Respondent's used motor vehicle dealer's license. Respondent agrees to pay the sum of \$1,500 for the violations. Payment will be made in three monthly installments. Respondent will also attend the next available UMV&PC Dealer Education Program.

2. Allowing unlicensed individual to purchase vehicles and assign vehicles to dealership

In the second consent agreement to be considered, the Respondent, a licensed used motor vehicle dealer, had allowed an unlicensed individual to buy vehicles and to then assign the certificates of title to said vehicles to the Respondent's dealership. Respondent thereafter sold said vehicles for the individual. Review of Respondent's records indicated that transactions of this nature occurred fourteen times within the last year. The individual also purchased a vehicle for a relative at auction without Respondent being present and used the dealership's name to reassign the title. The Respondent has since terminated business relations with the individual and has agreed that actions of this nature will not occur again. Sanctions could have resulted in the assessment of fines of up to \$1,000 per violation as well as suspension or revocation of the Respondent's used motor vehicle dealer's license. Respondent agrees to pay the sum of \$1,500, representing a fine of \$100 per violation.