AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
200 EAST RIVERSIDE, BUILDING 150, ROOM 1B.1
AUSTIN, TEXAS 78704
THURSDAY, APRIL 12, 2012
9:00 A.M.

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Texas Department of Motor Vehicles. Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Board. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

1. CALL TO ORDER

A. Roll Call and Establishment of Quorum

B. Public Comment

2. CONSENT AGENDA – Bill Harbeson (see attached itemized list A)

A. Consideration of Enforcement Agreed Orders under Occupations Code, Chapter 2301

B. Consideration of Enforcement Notice of Violation Citation Agreed Orders under Occupations Code, Chapter 2301

C. Consideration of Enforcement Dismissal Orders under Occupations Code, Chapter 2301

D. Consideration of Settlement and Dismissal Orders under Occupations Code, Section 2301.204 (Warranty Performance Complaints)

E. Consideration of Franchise Case Dismissal Orders under Occupations Code, Chapter 2301

3. RESOLUTIONS for INDIVIDUAL CONSIDERATION - CONTESTED CASES

A. Warranty Performance Proposal For Decisions Under Occupations Code Chapter 2301 - Bill Harbeson

1. 12-0018 CAF - Mark Karnauch v. Chrysler Group LLC
ALJ recommends dismissal

2. 12-0025 CAF - Shane McLean v. BMW of North America, LLC
ALJ recommends dismissal

B. Consideration of Franchise Case Dismissal Order under Occupations Code Chapter 2301
10-0033 LIC - First In, Inc. v. Pierce Manufacturing, Inc., Medtec Ambulance Corporation and Oshkosh Specialty Vehicles d/b/a Frontline Communications

C. Consideration of Enforcement Motions for Disposition Based on Default under Occupations Code Chapter 2301 - Bill Harbeson

(see attached itemized list B)

4. RESOLUTIONS for INDIVIDUAL CONSIDERATION - RULES

A. Adoption of Rules under Title 43, Texas Administrative Code

1. Chapter 207, Public Information - Randy Elliston
Subchapter A., Access to Official Records
§§ 207.2-207.5

2. Chapter 217, Vehicles Titles and Registration - Randy Elliston
New Subchapter F. Motor Vehicle Record Information

3. Chapter 217, Vehicles Titles and Registration - Randy Elliston
§217.3 and §217.22

4. Chapter 219, Oversize and Overweight Vehicles and Loads - Bill Harbeson
§219.121, Administrative Penalties

B. Proposal of Rules under Title 43, Texas Administrative Code

1. Chapter 215, Motor Vehicle Division - Bill Harbeson
Subchapters D. E. and F.

2. Chapter 217, Vehicles Titles and Registration - Randy Elliston
Subchapters A. B. and C.

5. BRIEFINGS and ACTION ITEMS

A. Approval of Agency Operating Plan Performance Measures - Victor Vandergriff

B. Approval of Agency Operation Boundaries - Victor Vandergriff

C. Board Committee Updates

- Projects & Operations Committee - Johnny Walker and Dawn Heikkila
- Finance & Audit Committee - Raymond Palacios and Linda Flores

D. Advisory Committees

- Motor Vehicle License Processing Advisory Committee - Blake Ingram and Bill Harbeson
- SB 529 Advisory Committee - Blake Ingram and Michelle Lingo
- Appointment and Organization of Advisory Committee for Tax Assessor Collector ("TAC") Standards - Cheryl Johnson and Randy Elliston

E. Approval of FY 2012 Audit Plan - Bill Lawler

F. Approval for Specialty Plate Designs - Randy Elliston

1. American Water Works Association (AWWA)
2. Highland Park Independent School District

G. Legislative Reports - Jeremiah Kuntz

1. Implementation Progress Report
2. Interim Charges Report
3. Preparation of 83rd Legislative Session

6. BRIEFINGS, DISCUSSION and POSSIBLE ACTION

ADMINISTRATIVE UPDATES

A. Chair Reports - Victor Vandergriff

Report on TxDMV-related activities involving the Chairman or identified by him as noteworthy, which may include activities involving:

- executive search services
- business process analysis
- organizational assessment update
- stakeholders
- board committees
- advisory committees
- industry
- media
- Governor's office
- legislative
- intergovernmental relations
- strategic planning
- budget
- audit
- rulemaking

B. Interim Executive Director Reports (Including other designated staff)

Report on TxDMV-related activities identified as noteworthy, which may include reports on:

- Introduction of Civil Rights Officer - Dawn Heikkila
- Monthly financial report - Linda Flores
- FY 2012 Draft Strategic Plan - Linda Flores
- Update on the Request for Proposal - solicitation to the vendor community to address the registration and titling core system - Dawn Heikkila
- TxDMV Technology Update - Dawn Heikkila and Gary Gordier
- Facilities Planning Update - Dawn Heikkila

7. EXECUTIVE SESSION

A. Section 551.071 – Consultation with and advice from legal counsel regarding:

a. pending or contemplated litigation, a settlement offer, or
b. any item on this agenda.

B. Section 551.074 – Personnel matters.

Discussion relating to the appointment, employment, evaluation, reassignment, and duties of personnel.

8. ACTION ITEMS FROM EXECUTIVE SESSION

9. ADJOURNMENT

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Texas Government

Code Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

Agenda items may be presented by the named presenters or other TxDMV staff.

Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than 2 days in advance, so that appropriate arrangements can be made. Contact Gail Anderson by telephone at (512) 467-3853.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: Brett Bray, General Counsel, (512) 467-3853

Board of the Texas Department of Motor Vehicles
Attached List A
April 12, 2012
Agenda Items 2.A. - E.
Consent Agenda

2. A. Consideration of Enforcement Agreed Orders under Occupations Code, Chapter 2301

1. 10-0018 ENF - Peter Ritzou, DBA Frellin Auto Sales
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$2,000.00

2. 10-0247 ENF - Ron Hoover Companies of Donna Inc., DBA Ron Hoover Companies of Donna Inc.
Participated in a new motor vehicle show without obtaining written approval in a timely manner: Occ Code 2301.358
Cease and desist

3. 10-0460 ENF - Fine Imports Enterprises Corp., DBA Auto Link
Failed to complete a buyer's temporary tag in the required manner: Transp Code 503.063 and 43 TAC 215.138(b)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$1,000.00 and attend a Dealer Training Seminar.

4. 10-0682 ENF - Spikes Motor Company, Inc., DBA Spikes Motor Company, Inc.
Featured a savings claim not available to all buyers: 43 TAC 215.262(b)
$2,000.00

5. 10-0867 ENF - Pete Mankins, Inc., DBA Pete Mankins Nissan & Mercedes, Pete Mankins Pontiac-Cadillac, Inc.
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$250.00

6. 10-1175 ENF - RI/RMT Acquisition Ltd, DBA Champion Toyota
Aided and abetted the unlicensed sale of a motor vehicle: Occ Code 2301.351
$750.00

7. 10-1226 ENF - Lawrence E. Castille, DBA Cass Classy Cars
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to take assignment of title or MCO: Transp Code 503.038(a)(3) and 43 TAC 215.141(a)(13)

Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00 and attend a Dealer Training Seminar.

8. **10-1570 ENF - Jody R. Berman, DBA Big Red's Equipment Sales and Rentals**
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
Attend a Dealer Training Seminar.

9. **11-0012 ENF - David McCrary, DBA Dave's Automotive**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Sold or offered to sell new motor vehicles without the appropriate license: Occ Code 2301.251 and 2301.252 and 43 TAC 215.141(a)(21)
$250.00 and attend a Dealer Training Seminar.

10. **11-0084 ENF - GPVN Motors Limited Partnership, DBA GPVN Motors Limited Partnership**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$4,000.00 and attend a Dealer Training Seminar.

11. **11-0207 ENF - Sebastian Kupcewicz, DBA Austin Expo Cars**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Cease and desist

12. **11-0350 ENF - A Fountainwood, LLC, DBA Integrity Auto**
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
$3,000.00 and attend a Dealer Training Seminar.

13. **11-0380 ENF - Parviz Granmayeh, DBA Cedar Park Consignment and Bank Auto Sale**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
Attend a Dealer Training Seminar.

14. **11-0547 ENF - E & B Cars Inc., DBA Angelo RV**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to have written consignment agreement: 43 TAC 215.144(g)
$1,000.00 and attend a Dealer Training Seminar.

15. **11-0625 ENF - McClure Motorcar Consultants, LLC, DBA Green Cars of Austin, McClure Motorcars and Consultants**
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code

2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$500.00 and attend a Dealer Training Seminar.

16. **11-0649 ENF - Claudia Y Beattie, DBA M3 Auto Sales**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to take assignment of title or MCO: Transp Code 503.038(a)(3) and 43 TAC 215.141(a)(13)
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
$1,000.00 and attend a Dealer Training Seminar.

17. **11-0650 Triple R Auto Sales Inc., DBA Triple R. Auto Sales Inc.**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$250.00

18. **11-0668 ENF - First Bruno Motors Inc., DBA Bruno Motors**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$1,500.00 and attend a Dealer Training Seminar.

19. **11-0837 ENF - Texas Carboys, Inc., DBA Texas Carboys**
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
License is cancelled and may not be renewed

20. **11-0860 ENF - Tim Edwards, DBA Edwards Auto Sales**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$250.00 and attend a Dealer Training Seminar.

21. **11-0922 ENF - Abdol Aghazadeh-Pirghalin, DBA Abee's Hi-Tech Auto Service**
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$500.00 and attend a Dealer Training Seminar.

22. **11-0928 ENF - Maxwell-N, Inc., DBA Town North Nissan**
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
$250.00

23. **11-0962 D&D Automotive Group #1, LLC, DBA 2 Amigos Auto Sales**
Advertised the amount of down payment in connection with a credit transaction without including the terms of repayment: 43 TAC 215.263
$1,000.00

24. 11-1109 ENF - Sharon Lynn Rick, DBA AMR
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$250.00 and attend a Dealer Training Seminar.

25. 11-1338 ENF - USMEX, Inc., DBA USAMEX Motor Sales
Failed to attend a Dealer Training Seminar in compliance with a Final Order: Occ Code 2301.651(a)(3)
Cease and desist

26. 11-1348 ENF - McCombs HFC LTD, DBA Red McCombs Ford
Advertised a savings on a used motor vehicle: 43 TAC 215.262(e)
$2,000.00

27. 11-1524 ENF - Cosme Hernandez, DBA Cosme's Auto Sales
Defrauded purchaser: Occ Code 2301.651(a)(6)
$2,000.00

28. 12-0037 ENF - South Texas Motor Sports LLC, DBA South Texas Motor Sports, LLC
Falsified or forged tax or title document: Transp Code 503.038(a)(1)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
License is revoked – oppose new or renewal for 4 years

29. 12-0056 ENF - Candita Willett, DBA Stone Motors
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
$250.00

30. 12-0088 Carl Renord Jackson, DBA Versatile Auto
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to answer the telephone, have it answered by a bona fide employee or to have an answering machine or service in operation during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
$1,000.00 and attend a Dealer Training Seminar.

31. 12-0185 ENF - West Texas Nissan LP, DBA West Texas Nissan LP
Advertised a new vehicle at an incorrect price: 43 TAC 215.246
$1,000.00

32. 12-0186 ENF - Enrique Perez, DBA West Auto Sales
Advertised the amount of down payment in connection with a credit transaction without including the terms of repayment: 43 TAC 215.263
$1,000.00

33. 12-0199 ENF - Auto Station, LLC, DBA Auto Station, LLC
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
$2,000.00 and attend a Dealer Training Seminar.

34. 12-0205 ENF - Legacy Housing Ltd, DBA Legacy Housing Ltd
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$500.00 and attend a Dealer Training Seminar.

35. 12-0213 ENF - Richard N. Jellison, DBA D & D Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$1,000.00

36. 12-0223 ENF - Mike Hall Chevrolet Inc., DBA Champion Chevrolet
Failed to identify a motor vehicle by model year, make, and model line and style when the price is advertised: 43 TAC 215.251(a)
$2,000.00

37. 12-0240 ENF - Rene E. Rizk, DBA Harvest Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$500.00 and attend a Dealer Training Seminar.

38. 12-0260 ENF - Michael Bolton, DBA Michael Bolton's Toys and Trucks
Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)
Sold or offered to sell motor vehicles without the appropriate license for that type of motor vehicle: Transp Code 503.038(a)(14)
$500.00 and attend a Dealer Training Seminar.

39. 12-0358 ENF - Sean Flowers, DBA New Image Auto Sales
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Engaged in business as a dealer, directly or indirectly, including consignment without a General Distinguishing Number: Transp Code 503.021
$3,000.00 and attend a Dealer Training Seminar.

40. 12-0374 ENF - Glenn R. Rhoades, DBA Vango Auto Group

Misuse of temporary dealer tag or failed to comply with recordkeeping requirements: Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Falsified or forged tax or title document: Transp Code 503.038(a)(1)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$2,000.00

41. **12-0380 ENF - Computadoras Dafer LLC, DBA Dafer Auto Sales LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$500.00 and attend a Dealer Training Seminar.

42. **12-0381 ENF - Texan Ford Sales LTD, DBA Bankston Ford of Arlington**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$1,000.00

43. **12-0385 ENF - Eddie Yaklin Ford Lincoln Mercury LTD.**
Filed a false title and tax document: Transp Code 503.038(a)(2)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$4,000.00

44. **12-0388 ENF - Ancira Nissan Inc., DBA Ancira Nissan Inc.**
Featured a savings claim not available to all buyers: 43 TAC 215.262(b)
$2,000.00 and attend a Dealer Training Seminar.

45. **12-0392 ENF - Donald M. Chavez, DBA DK & S Motors**
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$250.00 and attend a Dealer Training Seminar.

46. **12-0393 ENF - Auto Wrangler Inc., DBA Auto Wrangler Inc.**
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
$250.00

47. **12-0400 ENF - R L B Texas Auto Center LP, DBA T.A.C. Auto Group, Texas Auto Center LP**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and

503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00 and attend a Dealer Training Seminar.

48. 12-0420 ENF - Timothy L. Rawlings, DBA RTS Lonestar Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$1,500.00 and attend a Dealer Training Seminar.

49. 12-0421 ENF - Petrie Auto Sales, Inc., DBA Petrie Auto Sales, Inc.
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00 and attend a Dealer Training Seminar.

50. 12-0426 ENF - Arlington Saturn LTD, DBA Holt Chrysler Jeep Dodge, Saturn of Arlington
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$500.00

51. 12-0429 ENF - Van Chevrolet II LP, DBA Van Chevrolet
Misuse of Internet-Down buyer temporary tag: Transp Code 503.0631 and 43 TAC 215.151, 215.153, 215.155 and 215.158
Sold or offered to sell motor vehicles on consecutive Saturday and Sunday: Transp Code 728.002
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$1,250.00

52. 12-0433 ENF - New Jonathon Enterprise, Inc., DBA Checkered Flag No. 29
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
Sold or offered to sell motor vehicles without the appropriate license for that type of motor vehicle: Transp Code 503.038(a)(14)
$750.00 and attend a Dealer Training Seminar.

53. 12-0437 ENF - Fender Operations, LLC, DBA Fender Auto Sales
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$250.00 and attend a Dealer Training Seminar.

54. 12-0439 ENF - Prairie Motors Inc., DBA Prairie Motors Inc.
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 217.14
Failure to have written consignment agreement: 43 TAC 215.144(g)
$250.00 and attend a Dealer Training Seminar.

55. 12-0441 ENF - Sauls & Fogerson Inc., DBA Don Sauls Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43 TAC 215.141(a)(3)
Attend a Dealer Training Seminar.

56. 12-0443 ENF - Jesus Joel Bencomo & Estela Leos, DBA Bencomo's Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$1,000.00 and attend a Dealer Training Seminar.

57. 12-0445 ENF - Duncan Chevrolet Company Inc., DBA Duncan Chevrolet Company Inc.
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 217.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00 and attend a Dealer Training Seminar.

58. 12-0446 ENF - Sergio Nuno Vargas, DBA Sergio's Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 217.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$500.00 and attend a Dealer Training Seminar.

59. 12-0449 ENF - Lester Floyd, DBA Floyd Motor Company
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 217.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$500.00 and attend a Dealer Training Seminar.

60. 12-0452 ENF - Tom Fowler, DBA Wes Tex Engine Service
Sold or offered to sell motor vehicles without the appropriate license for that type of motor vehicle: Transp Code 503.038(a)(14)
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$250.00 and attend a Dealer Training Seminar.

61. 12-0453 ENF - GNC Auto Sales LLC, DBA GNC Auto Sales LLC
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234

Cease and desist

62. 12-0454 ENF - C M Black, DBA B's Auto Sales
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 217.14
Sold or offered to sell motor vehicles without the appropriate license for that type of motor vehicle: Transp Code 503.038(a)(14)
$250.00 and attend a Dealer Training Seminar.

63. 12-0463 ENF - Fadhil Al-Jiboori, DBA All Star Auto Service
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
$250.00

64. 12-0465 ENF - Subaru of Plano LTD.
Falsified or forged tax or title document: Transp Code 503.038(a)(1)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
$1,000.00 and attend a Dealer Training Seminar.

65. 12-0469 ENF - A N Auto Sales Inc., DBA A N Auto Sales Inc.
Falsified or forged tax or title document: Transp Code 503.038(a)(1)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00

66. 12-0472 ENF - RV Liquidators, Inc., DBA RV Liquidators, Inc.
Permitted the use of its GDN or the location for which the GDN was issued for the purpose of avoiding the requirements of Chapter 503: Transp Code 503.038(a)(14)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00 and attend a Dealer Training Seminar.

67. 12-0477 ENF - Joel Cruz, DBA Azteca Auto Sales
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$250.00 and attend a Dealer Training Seminar.

68. 12-0482 ENF - John David White Jr., DBA River Oaks Motor Company
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$250.00

69. 12-0483 ENF - Christopher Joe Johnson, DBA All Pro Motors
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)

$1,000.00 and attend a Dealer Training Seminar.

70. **12-0517 ENF - Nagy N. Khalil, DBA Best Buy Auto Sales**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to display license: 43 TAC 215.140(14)
$250.00 and attend a Dealer Training Seminar.

71. **12-0521 ENF - Champion's Auto Sales Company LC, DBA Champion's Auto Sales Company LC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
$1,000.00

72. **12-0530 ENF - Pro-Active, Inc., DBA Pro Active Auto Sales**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$250.00 and attend a Dealer Training Seminar.

73. **12-0531 ENF - Allways Auto Group LTD, DBA Allways Chevrolet**
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$250.00 and attend a Dealer Training Seminar.

74. **12-0536 ENF - Texas Car-Mart Inc., DBA Car Mart**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$2,500.00

75. **12-0539 ENF - William Charles Brannan, DBA Brannan Auto Sales**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
$250.00 and attend a Dealer Training Seminar.

76. **12-0541 ENF - Autogroup Premier Inc., DBA Premier Mazda, Roger Beasley Mazda of Georgetown**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00

77. **12-0555 ENF - Jordan Ford LTD, DBA Jordan Ford, Jordan Ford Think, Jordan Ford, LTD., DBA Jordan Motorcars**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)

Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$500.00 and attend a Dealer Training Seminar.

78. 12-0559 ENF - Thomas Lane, DBA Lane's Auto Sales
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00 and attend a Dealer Training Seminar.

79. 12-0564 ENF - Dallas Hyundai, Inc., DBA South Dallas Hyundai
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
$250.00 and attend a Dealer Training Seminar.

80. 12-0568 ENF - P P D Fincher Inc., DBA Fred Fincher Motors
Advertised the amount of down payment in connection with a credit transaction without including the terms of repayment: 43 TAC 215.263
$500.00 and attend a Dealer Training Seminar.

81. 12-0569 ENF - John Parker Motors Inc., DBA John Parker Motors Inc.
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$500.00

82. 12-0575 ENF - Gillaspia Investment Group Inc., DBA Texas Truck Sales
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
Cease and desist

83. 12-0576 ENF - Charlie's Used Cars, L.L.C., DBA Charlie's Used Cars L.L.C.
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
$250.00 and attend a Dealer Training Seminar.

84. 12-0606 ENF - Quick Sale Auto, Inc.
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$250.00 and attend a Dealer Training Seminar.

85. 12-0674 ENF - Silvia Leal Jimenez, DBA La Silla Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$250.00

86. 12-0676 ENF - Earth Motorcars LLC, DBA Earth Motorcars
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to fulfill written agreement with retail purchaser: Occ Code 2301.651(a)(7)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$1,000.00 and attend a Dealer Training Seminar.

87. 12-0685 ENF - Michael Cordell, DBA ASAP Auto Sales

Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$500.00 and attend a Dealer Training Seminar.

88. 12-0689 ENF - Travis Crawford Buick GMC Truck LP, DBA Crawford Buick GMC Trucks Crawford Buick Pontiac GMC
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$500.00 and attend a Dealer Training Seminar.

89. 12-0691 ENF - Texas IAG, Inc., DBA Carhop
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$500.00 and attend a Dealer Training Seminar.

90. 12-0695 ENF - Roger Hamdan, DBA Bristol Auto's
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00 and attend a Dealer Training Seminar.

91. 12-0696 ENF - Southwest Hyundai LP, DBA Hyundai of El Paso
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to display license: 43 TAC 215.140(14)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$500.00 and attend a Dealer Training Seminar.

92. 12-0697 ENF - Price Auto Sales, Inc., DBA Price Auto Sales, Inc.
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00

93. 12-0706 ENF - TIGL, Inc., DBA TIGL, Inc.
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
License is revoked – oppose new or renewal for 2 years

94. 12-0707 ENF - Genesis Team LLC, DBA Genesis Team LLC
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$500.00

95. 12-0727 ENF - Giuseppe V. Riccio, DBA Tiger's Auto Sales of Lufkin
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to have written consignment agreement: 43 TAC 215.144(g)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$500.00 and attend a Dealer Training Seminar.

96. 12-0784 ENF - Mission Automotive, LLC., DBA Mission Mitsubishi
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
$500.00 and attend a Dealer Training Seminar.

97. 12-0796 ENF - Lonnie Matthews Jr., DBA L & A Auto Sales
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
$250.00 and attend a Dealer Training Seminar.

B. Consideration of Enforcement Notice of Violation Citation Agreed Orders under Occupations Code, Chapter 2301

1. 12-0653 ENF - Alicia Diaz, DBA G & W Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$150.00

2. 12-0655 ENF - J8 Auto and Classics LLC, DBA J8 Auto And Classics, LLC
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00

3. 12-0657 ENF - BHPH Inc., DBA Patterson Buy Here Pay Here
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to display license: 43 TAC 215.140(14)
$200.00

4. 12-0755 ENF - Jerry Sanchez, DBA Jerry's Best Buy Auto Sales
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

5. 12-0757 ENF - Miguel Munoz/Adela Munoz, DBA Munoz Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

6. 12-0758 ENF - Jaime Hernandez, DBA A & J Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)

Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00

7. **12-0761 ENF - Jorge Villanueva, DBA McAllen Auto Mart**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

8. **12-0765 ENF - Morris Gohmert Jr. Inc., DBA Maverick Motors**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$150.00

9. **12-0767 ENF - Saturn of Permian Basin, DBA Mazda of Midland**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

10. **12-0770 ENF - Demetrio Magallan, DBA Magallan Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Misuse of temporary dealer tag(s): Transp Code 503.038(a)(12):43 TAC 215.141(a)(10)
$200.00

11. **12-0780 ENF - Westpoint Auto Sales LLC, DBA Westpoint Auto Sales LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

12. **12-0787 ENF - Hassib Kazan and Kozayer Hashem, DBA City Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to observe right of way: 43 TAC 215.140(11)(c)
$200.00

13. **12-0788 ENF - Harlingen Auto Credit LP, DBA Harlingen Auto Credit LP**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

14. **12-0789 ENF - Jorge Gutierrez, DBA Expressway Motors**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to take assignment of title: Transp Code 503.038(a)(3)
$150.00

15. **12-0802 ENF - Ernesto Garza Jr.,/Ernesto T. Garza, DBA Neto's Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to answer the telephone, have it answered by a bona fide employee or to have an answering machine or service in operation during posted business hours: Transp

Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
$250.00

16. **12-0804 ENF - Laura E. Hinojosa, DBA Dogor's Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

17. **12-0814 ENF - Midvalley Auto Credit Inc., DBA Midvalley Auto Credit Inc.**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Misuse of temporary dealer tag(s): Transp Code 503.038(a)(12):43 TAC 215.141(a)(10)
$200.00

18. **12-0817 ENF - Rolando Lozano, DBA R & D Motors**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

19. **12-0819 ENF - Armando Guerra, DBA Guerra's Auto Sales**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

20. **12-0852 ENF - Christopher Waite, DBA Motor City**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

21. **12-0853 ENF - Angelberto Alanis, DBA Angel's Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$150.00

22. **12-0854 ENF - Texas Certified Motors – Fortune Partners Inc., DBA Texas Certified Motors**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

23. **12-0857 ENF - Casa Nissan Inc., DBA Casa Nissan Inc.**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$150.00

24. **12-0858 ENF - GPITX-SB II MC, DBA BMW of El Paso**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

25. **12-0859 ENF - Petrita Enterprises LLC, DBA MLC Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)

Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00

26. **12-0861 ENF - Pittman Motors, DBA Pittman Motors**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

27. **12-0865 ENF - Lazaro Bejaramo, DBA Ultimate Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

28. **12-0866 ENF - Larry Trest Auto Brokers, DBA Larry Trest Auto Brokers**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

29. **12-0867 ENF - Carlos Herrera Jr., DBA CH Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to observe right of way: 43 TAC 215.140(11)(c)
$250.00

30. **12-0869 ENF - TMBC LLC, DBA Bass Pro Shops**
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$200.00

31. **12-0875 ENF - Hastings Auto Sales LLC, DBA Hastings Auto Sales LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

32. **12-0876 ENF - Peters Chrysler Jeep, DBA Peters Chrysler Jeep**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

33. **12-0877 ENF - Peters Chevrolet, Inc., DBA Peters Chevrolet Inc.**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

34. **12-0880 ENF - Beverly Molder, DBA Centex Motors**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

35. **12-0882 ENF - Javier Lujan, DBA Valley Auto**
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code

2301.362(a), Transp
Code 503.021 and 503.027, 43 TAC 215.136
$200.00

36. **12-0886 ENF - The Lot Inc., DBA Awesome Autos**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00

37. **12-0888 ENF - Rick Wagner Enterprises Inc., DBA Texas Carco**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

38. **12-0890 ENF - Eddie Robbins Inc., DBA Toyota of Longview**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

39. **12-0891 ENF - RM Engine Center and Service, DBA RM Engine Center and Service**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

40. **12-0892 ENF - Troy Faust Motor Company LLC, DBA Troy Faust Motor Co.**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to display license: 43 TAC 215.140(14)
$150.00

41. **12-0893 ENF - Jim Odom, DBA Kerr Cars,**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$150.00

42. **12-0899 ENF - Moore Auto Sales LLC, DBA Moore Auto Sales LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

43. **12-0920 ENF - Dodge Country Ltd, DBA Freedom Jeep Chrysler**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to observe right of way: 43 TAC 215.140(11)(c)
$200.00

44. **12-0921 ENF - Eakin-Killeen LP, DBA Dennis Eakin Pre-owned**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

45. 12-0922 ENF - Brew Pontiac Inc., DBA Brew Pontiac-Honda
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00

46. 12-0923 ENF - Mauro Guzman, DBA M & M Motor Company
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$200.00

47. 12-0941 ENF - Mario Guzman, DBA MG Motor Co.
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
$200.00

48. 12-0943 ENF - Autos ETC Ltd, DBA Autos ETC Ltd
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to observe right of way: 43 TAC 215.140(11)(c)
Failure to display license: 43 TAC 215.140(14)
$300.00

49. 12-0944 ENF - Dewbre Auto Inc., DBA A-1 Motors
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

50. 12-1005 ENF - Khaled Mahmoud, DBA Budget Autos
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

51. 12-1006 ENF - Irma L. Maese, DBA Autos M & M
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
No metal dealer plate record: 43 TAC 215.139(i) or (j)
$200.00

52. 12-1007 ENF - Heath T. Cardwell, DBA Cardwell Auto Sales
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

53. 12-1011 ENF - Alberto Ramirez, DBA Twins Auto
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to observe right of way: 43 TAC 215.140(11)(c)
No metal dealer plate record: 43 TAC 215.139(i) or (j)
$300.00

54. 12-1012 ENF - RS Auto Sales LLC, DBA RS Auto Sales LLC
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14

No metal dealer plate record: 43 TAC 215.139(i) or (j)
$150.00

55. 12-1014 ENF - Luis Hernandez, DBA Auto Plaza
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

56. 12-1015 ENF - Roberto Rodriguez, DBA Kabuby's Motors
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
$150.00

57. 12-1016 ENF - Antonio Yanar, DBA Capitol Auto
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$250.00

58. 12-1018 ENF - Jose L. Martinez, Cecilia Martinez, DBA Autos Martinez
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Misuse of metal plates: 43 TAC 215.138
$250.00

59. 12-1051 ENF - Raymundo Enriquez Ramos, DBA West Side Cars
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$150.00

60. 12-1053 ENF - Lourdes L. Cruz De Amaya, DBA A-1 Motors
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to have written consignment agreement: 43 TAC 215.144(g)
$200.00

61. 12-1056 ENF - Victor Montalvo, DBA Victor's Quality Used Cars
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

62. 12-1057 ENF - Maria D. Garcia, DBA AC Motors
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$150.00

63. 12-1058 ENF - Antonio Garcia, DBA Sabdy Auto Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)

Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$150.00

64. 12-1059 ENF - Wehbi, Inc., DBA Royal Car Center
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to have written consignment agreement: 43 TAC 215.144(g)
$150.00

65. 12-1062 ENF - Juan M. Chairez, DBA KB Motors
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
No metal dealer plate record: 43 TAC 215.139(i) or (j)
$250.00

66. 12-1067 ENF - Lorenzo Hernandez Vasquez
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to take assignment of title: Transp Code 503.038(a)(3)
$200.00

67. 12-1068 ENF - Jorge A. Munoz, DBA Liberty Auto
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to take assignment of title: Transp Code 503.038(a)(3)
$250.00

68. 12-1069 ENF - Rosendo Sanchez, DBA JS Motors
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to take assignment of title: Transp Code 503.038(a)(3)
$200.00

69. 12-1073 ENF - Gonzalo Mota Amaya, DBA Autoland USA
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

70. 12-1074 ENF - Isaias Torres, DBA Torres Auto & Truck Sales
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
$200.00

71. 12-1075 ENF - J. Bayona Investments Inc., DBA C & J Auto
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
$100.00

72. 12-1076 ENF - Juan Adrian Arredondo, DBA Auto Mundo
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

73. 12-1078 ENF - Armando Arredondo, DBA Payless Auto
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
$50.00

C. Consideration of Enforcement Dismissal Orders under Occupations Code, Chapter 2301

1. 10-0975 ENF - Kirk Lee Yost, DBA Car & Truck Town

2. 10-1364 ENF - Division Auto Service, Inc., DBA Division Auto Sales

3. 10-1408 ENF - Randy Enger, DBA Signature Motorcars

4. 10-1514 ENF - Movin' On Up Auto Sales LLC, DBA Movin' On Up Auto Sales LLC

5. 11-0007 ENF - North Texas Investors Group Inc., DBA Zalinsky Motors

6. 11-0107 ENF - Thoroughbred Motorsports Inc., DBA Thoroughbred Motorsports Inc.

7. 11-0228 ENF - Bret Whitehead, DBA Lubbock Powersports

8. 11-0297 ENF - Ramirez Chrysler Jeep Dodge Inc., DBA Ramirez Family Auto Center

9. 11-0529 ENF - 74 Auto Liquidators Inc., DBA Collins Truck Sales

10. 11-0595 ENF - Connie Hohs Lazarus, DBA Lazarus Motors

11. 11-0826 ENF - Adolfo Santos, DBA El Charco De Las Ranas Car Wash and Auto

12. 11-0894 ENF - Shawn A. High, DBA HQ Motorsports

13. 11-1129 ENF - James F. Burris, DBA Yahoo Autos

14. 11-1343 ENF - El Puerto De Oro Inc., DBA Scooter Pete's

15. 11-1453 ENF - Nicolas Ibarra/Maria Ibarra, DBA Ibarra's Auto Mart

16. 12-0010 ENF - Canadian Auto Exchange Inc., DBA Canadian Auto Exchange

17. 12-0379 ENF - Lawler Motor Sports Inc., DBA Lawler Motor Sports Inc.

18. 12-0596 ENF - Fred K. Rahbar, DBA Fred's Auto Sales

19. 12-0679 ENF - Maxwell-N, Inc., DBA Town North Nissan

20. 12-0694 ENF - Bill Wilson Inc., DBA Wilson Motors

21. 12-0744 ENF - Khoa Pham, DBA All Foreign Cars & Parts

22. 12-0961 ENF - James McNeal, DBA Precision Automotive & Transmission

D. Consideration of Settlement and Dismissal Orders under Occupations Code, Section 2301.204 (Warranty Performance Complaints)

1. 10-0115 CAF - Cheryl Snow and James M. Snow v. Fleetwood RV, Inc
Order of Dismissal
No jurisdiction

2. 11-0220 CAF - Brian H. Cavern v. Nissan North America, Inc.
Order of Dismissal
Complainant no longer owns the vehicle

3. 12-0009 CAF - Damaris Y. Montealegre v. General Motors LLC
Settlement Order
The vehicle has been repaired

4. 12-0015 CAF - Pauline McCullough v. Chrysler Group LLC
Settlement Order
The vehicle has been repaired and Complainant accepted a cash settlement

5. 12-0046 CAF - Beverly A. Roper v. Hyundai Motor America
Reacquired Vehicle Settlement Order
The vehicle has been repurchased

E. Consideration of Franchise Case Dismissal Orders under Occupations Code, Chapter 2301

1. 10-0043 LIC - Tejas Toyota, Inc. v. Gulf States Toyota

2. 11-0001 LIC - Bella Corp. d/b/a Broadway Powersports v. American Honda Motor Co., Inc.

Board of the Texas Department of Motor Vehicles
Attached List B
April 12, 2012
Agenda Item 3.C.
Motions for Disposition Based on Default

3. C. Consideration of Enforcement Motions for Disposition Based on Default under Occupations Code Chapter 2301

1. 10-0610 ENF - Pick-ups, Inc., DBA Pick-ups, Inc.
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC
215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to timely transfer title to out of state purchaser: 43 TAC 215.144(f)
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
Proposed Sanction: $40,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

2. 11-0256 ENF - OCB, LLC., DBA Elite Imports Sales & Service
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Misuse of buyers supplemental temporary E-tag: Transp Code 503.063(g), 43 TAC 215.151, 215.152, 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10),(11)
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
Failure to timely pay lien on a motor vehicle traded in: Finance Code 348.408(c), Occ Code 2301.651(a)(4)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Proposed Sanction: License is revoked. $8,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

3. 11-0263 ENF - Enrique Gonzalez / Ernesto Gonzalez, DBA South Park Motors
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely file Motor Vehicle Inventory Tax statements: Transp Code 503.038(a)(10) and Tax Code 23.122
Filed a false inventory tax statement: Transp Code 503.038 (a)(2) and (10)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $2,500.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

4. 11-0463 ENF - Lorena Rodriguez Morales, DBA Unicar
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: License is cancelled.

5. **11-0504 ENF - Manuel Del Puerto, DBA Boom-Boom Auto Sales**
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements: Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to provide satisfactory and reasonable evidence of regularly and actively engaged in business as a motor vehicle dealer: Transp Code 503.038(a)(9), 43 TAC 215.141(a)(14)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $6,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

6. **11-0897 ENF - Julio Cesar Mendoza, DBA R & M Auto Sales**
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely file Motor Vehicle Inventory Declaration reporting sales: Transp Code 503.038(a)(10) and Tax Code 23.121
Proposed Sanction: $3,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

7. **11-0907 ENF - Joseph Dib, DBA JD Motors**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $2,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

8. **11-1039 ENF - Don E. Strong Jr., DBA Strong Enterprises**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $2,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

9. **11-1247 ENF - Ruben Bustillos, DBA Superior Motor Group**
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements:

Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $3,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

10. 11-1278 ENF - Killeen Imports LTD, DBA Dennis Eakin Mazda
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $1,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

11. 11-1374 ENF - Concepcion Christina Moreno-Ruiz, DBA Ruiz Allomotive
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to have dealer or a bona fide employee present during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $5,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

12. 12-0030 ENF - Lara Auto Sales LLC, DBA Lara Auto Sales LLC
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Failure to have business hours posted at the dealer's location: Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to have dealer or a bona fide employee present during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
Proposed Sanction: License is revoked. $1,500.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

13. 12-0144 ENF - Steve Graeve, Ruth Graeve, DBA Metroplex Motorsports
Misuse of dealer's metal plates: Transp Code 503.068 and TAC 215.138(b)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to take assignment of title or MCO: Transp Code 503.038(a)(3) and 43 TAC 215.141(a)(13)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $2,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

14. 12-0172 ENF - OCB, LLC., DBA Elite Imports Sales & Service
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Defrauded purchaser: Occ Code 2301.651(a)(6)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: License is revoked. $33,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.

15. 12-0271 ENF - VGP Enterprises, Inc., DBA Laredo International Auto Auction
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: $3,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.