

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATIONS
1511 PONTIAC AVENUE
BUILDINGS 68-69
CRANSTON, RI 02920

IN THE MATTER OF: _____ :
: :
AMERICAR SALES AND COLLISION : DBR No. 11-L-0072
CENTER, INC., :
: :
RESPONDENT. _____ :

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) and Americar Sales and Collision Center, Inc. (“Respondent”) hereby agree that:

1. Respondent is currently licensed as an automobile body repair shop pursuant to R.I. Gen. Laws § 5-38-1 *et seq.* and Commercial Licensing Regulation 4 (“CLR4”) entitled *Motor Vehicle Body Repair* (“Auto Body License”).
2. Since 2009, the Department has received six (6) complaints addressing various violations by Respondent pertaining to automobile body repair work.
3. The complaints include: breach of contract, failure to comply with safety industry standards, repairs performed in an unreasonable amount of time, fraud, and performance of unauthorized repairs.
4. R.I. Gen. Laws § 5-38-10 provides, in pertinent part, that the Department may suspend or revoke a license after it has been granted for the following reasons (numbers reference statutory sections):
 - (1) On proof of unfitness of the applicant to do business as an automobile body repair shop;
 - ...

(3) For any failure to comply with the provisions of this section or with any rule or regulation promulgated by the commission under § 5-38-5;

(4) For defrauding any customer;

...

(8) For willful failure to perform work as contracted for;

(9) For failure to comply with the safety standards of the industry[.]

5. To date, Respondent has failed to adequately explain the allegations in the Complaint and there is probable cause to suspend or revoke Respondent's Auto Body License pursuant to R.I. Gen. Laws § 5-38-10(1), (3), (4), (8), and (9).
6. Additionally, Respondent's failure to provide documents requested by the Department (final repair bill, written authorization, receipts indicating repairs made, and work completion certificate) is a violation of R.I. Gen. Laws §§ 5-38-18, 5-38-28, and 5-38-29, which require the maintenance, and verification of certain repairs and corresponding records.
7. By signing this Agreement, Respondent acknowledges and understands that should Respondent violate the terms of this Consent Agreement (including failure to provide monthly reports and/or pay the administrative penalty), the Department will not renew its Auto Body License and/or will seek the revocation of its Auto Body License, with notice and opportunity for hearing, upon a finding that it has engaged in any further administratively, criminally or civilly sanctionable conduct.
8. Respondent is hereby issued a conditional Auto Body License to be effective upon the date that this Consent Agreement is signed.

a. Respondent's Auto Body License is conditioned upon the following terms:

i. Respondent shall pay a \$20,000.00 administrative penalty payable in 8 monthly payments of \$2,500 beginning with the first payment due on April 6, 2012 and the following 7 consecutive payments of \$2,500 due on the 6th day of every month thereafter. If the 6th day falls on a Saturday or Sunday, the payment shall be due on the following Monday.

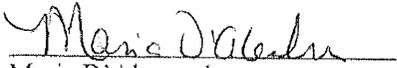
ii. Respondent shall complete its vehicle repairs within a reasonable time period, and Respondent shall provide monthly spreadsheets reflecting a monthly list of vehicles repaired and the time taken to complete its repairs.

iii. Respondent shall report all customer complaints to the Department.

iv. Respondent shall comply with all terms and requirements for licensure under R.I. Gen. Law § 5-38-1 *et seq.*

The Department of Business Regulation and Respondent, Americar Sales & Collision Center, Inc., hereby consent and agree to the foregoing.

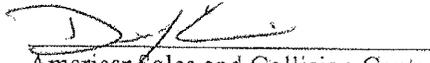
For the Department:



Maria D'Alessandro
Associate Director of Commercial
Licensing and Regulation
Department of Business Regulation

Date: 3-12-12

For the Respondent:



Americar Sales and Collision Center, Inc.
Respondent
626 Main Street
Pawtucket, Rhode Island 02860

Date: 3-6-12