

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
JOHN O. PASTORE COMPLEX  
1511 PONTIAC AVENUE  
CRANSTON, RI 02920**

**IN THE MATTER OF:**

**ASTRO AUTO SALES INC. and  
JAMES ANDRADE**

**RESPONDENTS.**

**DBR No. 13AB100**

**CONSENT AGREEMENT**

The Division of Commercial Licensing (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement (“Agreement”) with James Andrade and Astro Auto Sales Inc. (“Astro”) (collectively “Respondents”) to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d).

It is hereby agreed by and between the Division and the Respondents that:

1. Respondent Astro is a business located at 60 Tiogue Avenue, West Warwick, RI 02893.
2. Respondent Andrade is the President of Astro.
3. In 1981, the Division issued a full collision automobile body repair shop license (“License”) to Astro pursuant to R.I. Gen. Laws § 5-38-1 *et. seq.*
4. The renewal application for the current License term was due December 31, 2012.
5. Respondents submitted a renewal application to the Division on November 30, 2012.

However, said application was substantially incomplete because the Technician Certification Affidavit and transcript or proof of classes taken by the certified technician was missing.

6. On or about January 14, 2013, the Division sent a letter to Respondents indicating that the renewal application was deficient, stating “Your Technician Certification Affidavits have not been received as of the date of this letter.”
7. On or about July 31, 2013, the Division, through its legal counsel, sent a letter to Respondents indicating that the information was still missing and that formal proceedings would be instituted if not submitted by August 16, 2013.
8. On or about August 13, 2013, the Department, through legal counsel, received a copy of the I-CAR training transcript of Guy P. Anderson. However, one of the required courses was missing from Mr. Anderson’s transcript (DAM06; Steering and Suspension).
9. R.I. Gen. Laws § 5-38-7 sets a maximum three year term on the License. A *timely* and *complete* renewal application must be submitted by December 31 of the end of each term.
10. Failure to submit the Technician Certification Affidavit and transcript or proof of classes taken by the certified technician is a violation of Commercial Licensing Regulation 16 *Motor Vehicle Body Repair Technician Certification* which was adopted pursuant to R.I. Gen. Laws § 5-38-5(4).
11. Based on the above, the renewal application was not “timely and sufficient” within the meaning of R.I. Gen. Laws § 42-35-14(b).
12. Pursuant to § 5-38-10.1, “[i]n addition to every other power granted the department of business regulation, the department may fine a licensee not more than one hundred dollars (\$100) for any violation or failure to comply with the provisions of this chapter or with any rule or regulation promulgated by the department.”
13. The Division agrees to approve the renewal application for Respondent Astro’s License upon satisfaction of the following conditions:

- a. Respondents must submit evidence that Mr. Anderson is registered for DAM06.
  - b. Respondents must pay an administrative penalty of \$ 75.00.
14. Respondents must submit proof of completion of DAM06 by November 1, 2013.  
Respondents understand that failure to do so may result in suspension, revocation, or other disciplinary action against them.
15. Respondents understand that, if the License is successfully renewed for the current term, the next renewal application would be due December 31, 2015. Failure to file a timely and complete renewal application by that date may result in the Division initiating formal action to revoke Respondents' privilege to perform automobile body repair work.
16. By signing this Agreement, Respondents voluntarily waive any right to an administrative hearing or appeal to Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*
17. By signing this Agreement, Respondents acknowledge and understand that should Respondents violate the terms of this Consent Agreement and/or engage in any other administratively, criminally, or civilly sanctionable conduct, the Department retains full authority to refuse to issue an automobile body repair license, or, if granted, to revoke, suspend, fine, or refuse to renew the license, after notice and opportunity for hearing.

For the Division:

  
Date: 9/24/13

Maria D'Alessandro, Esq.  
Deputy Director, Securities, Commercial  
Licensing and Racing and Athletics  
Department of Business Regulation

For the Respondents:

  
Date: 9-26-13

James Andrade  
Astro Auto Sales Inc.  
60 Tiogue Avenue  
West Warwick, RI 02893