

2. On September 17, 2009 the inspector for the Department inspected the above-mentioned shop to find it up and running as an unlicensed shop.
3. Respondent is not currently licensed in Rhode Island as an Automobile Body Shop pursuant to R.I. Gen. Laws §§ 5-38-1 *et seq.*
4. Respondent believed he was working in compliance with the law of Rhode Island because the Town of Johnston granted him a Town license to operate as an Auto Body. The Town of Johnston did not tell him he needed a state license to operate.
5. At all times relevant to this Agreement, it has been unlawful for an auto body shop to operate in Rhode Island without being properly licensed.
6. It is the position of the Division that from August 2009 Respondent engaged in activity which requires licensure as an auto body shop in violation of R.I. Gen. Laws §§ 5-38-1 *et seq.*
7. Respondent does want to become licensed under R.I. Gen. Laws §§ 5-38-1 *et seq.*
8. On September 29, 2009, the Department received an incomplete application for a Limited Paint, Restoration, Customization License.
9. On October 2, 2009 the application was returned to Respondent for completion.
10. On October 15, 2009 application was returned to the Department but lacked requirements such as: Fire Compliance, Zoning Certificate and Tax Payer Affidavit, EPA number.

11. On October 19, 2009 letter was sent to Respondent requesting above-mentioned missing requirements.
12. On November 17, 2009 the Department received all missing requirements from the application. A letter from DEM issuing EPA number, Zoning Certificate from the Town of Johnston, the Tax Payer Affidavit and Fire Compliance letter.
13. On December 14, 2009 the Department inspector revisited the Respondent's shop for final visual inspection prior to licensing and observed work that would possibly require a Full Collision Repair License.
14. On January 6, 2010 the Respondent and members of the Department met to discuss the type of work being performed at the shop. Respondent withdrew his application for a Limited Paint, Customization, Restoration License and submitted an application for a Full Collision Repair License.
15. On January 7, 2010 Respondent provided the Department with the Full Collision Repair affidavit to complete the application process.

III.

Based on the foregoing, the Division finds that the following is in the public interest and consistent with the purposes intended by R.I. Gen. Laws §§ 5-38-1 *et seq.* and Regulation 4.

Accordingly, it is hereby further agreed that:

1. Respondent shall immediately undertake to comply fully with R.I. Gen. Laws §§ 5-38-1 *et seq.*, and all Regulations promulgated thereunder.

2. Respondent shall only perform automobile body work as described under the license classification designated as Full Collision Repair.
3. Respondent shall upon signing this Agreement, pay an administrative assessment in the amount of Five Hundred dollars (\$500.00) to the Department.
4. The application submitted for Full Collision Repair, is complete, and shall be approved upon execution of this agreement.

Dated as of the 8th day of January, 2010.

Maria L. D'Alessandro
Maria L. D'Alessandro, Associate Director
of Commercial Licensing and Racing and Athletics

Augustin Alicea
Augustin Alicea, Respondent

On this 7th day of January, 2010 appeared before me
Leslie H. Martin who executed the foregoing Consent Agreement and
who duly acknowledged to me that he was authorized to do so.

Leslie H. Martin
NOTARY PUBLIC
My Commission Expires 1/30/2013

CONSENT AGREEMENT- Performance paint & body
KAP