

**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	:	
	:	
CHARLES CARUSO and	:	
QUALITY AUTO BODY, Inc.	:	DBR No. 13AB098
	:	
RESPONDENTS.	:	

CONSENT AGREEMENT

The Division of Commercial Licensing (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement (“Agreement”) with Charles Caruso and Quality Auto Body, Inc. (“Quality”) (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 Quality is a business located at 222 Warwick Avenue, Cranston, Rhode Island 02905.
2. Mr. Caruso is the sole officer and director of Quality.
3. In 1967, the Department issued a full collision automobile body repair shop license (“License”) to Quality 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, a deadline set pursuant to the Department’s statutory authority under R.I. Gen. Laws § 5-38-7(a).

5. Respondents submitted a renewal application to the Department on or about March 21, 2013, nearly three (3) months past the deadline.
6. The renewal application was substantially incomplete because proof was not submitted that Respondents have a Certified Technician who has completed the required training courses.
7. Failure to submit proof of required classes taken by a Certified Technician is a violation of Commercial Licensing Regulation¹⁶ *Motor Vehicle Body Repair Technician Certification* which was adopted pursuant to R.I. Gen. Laws § 5-38-5(4).
8. Based on the above, the renewal application was not “timely and sufficient” within the meaning of R.I. Gen. Laws § 42-35-14(b).
9. R.I. Gen. Laws § 5-38-10(3) provides that “[t]he department of business regulation may deny an application for license or suspend or revoke a license after it has been granted, for...any failure to comply with the provisions of this section or with any [Department] rule or regulation.” This applies to denial of an application for renewal of a license.
10. The Division agrees to approve the renewal application for Respondent Quality’s License upon satisfaction of the following preconditions:
 - a. Respondents must submit evidence that one or more employees of Quality have registered and pre-paid for at least one class.
 - b. Respondents must pay an administrative penalty of \$ 400.00.
11. Respondents must submit proof of full compliance with Commercial Licensing Regulation¹⁶ *Motor Vehicle Body Repair Technician Certification* by December 31, 2013. Respondents understand that failure to do so may result in suspension, revocation, or other disciplinary action against them. If Respondents cannot fulfill the course

requirements due to the non-availability of the required courses and through no fault of their own, the Division may extend the time to comply.

12. 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 permanently revoke Respondents' privilege to perform automobile body repair work.
13. In consideration of the foregoing, the Department agrees to withdraw the August 29, 2013 Order to Show Cause Why Cease and Desist Order and/or Other Administrative Penalties Should Not Issue.
14. 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.*
15. 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: 9/23/13

Charles Caruso
Quality Auto Body
222 Warwick Avenue
Cranston, RI 02905