

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

<u>IN THE MATTER OF:</u>	:	
	:	DBR No. 09-L-0171
HERB CHAMBERS	:	
CADILLAC, INC.,	:	
RESPONDENT.	:	
<hr/>	:	

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) and Herb Chambers Cadillac, Inc.(“Respondent”) hereby agree that:

1. Respondent has a Full Auto Collision Repair license, issued in 2007, and expiring at the end of the calendar year 2009.
2. On August 11, 2009, the Department received a letter from the Providence Fire Department advising that continuing non-compliance with its fire alarm system for its paint spray booth by Respondent was a threat to public safety and a danger to the public and its employees.
3. On August 15, 2009, Respondent confirmed that all painting at its facility at 101 Cadillac Drive, Providence, RI would cease immediately.
4. On August 28, 2009, the Providence Fire Department advised the Department that mobile painting was being conducted outside the premises, in violation of R.I. Gen. Laws § 5-38-1. This was confirmed by the Department in an inspection on August 31, 2009.

5. On September 1, 2009, the Department issued an emergency Order to Suspend Respondent's auto collision repair license.
6. On September 2, 2009, Inspector Thomas Broderick telephoned Respondent's auto body facility and was told that he could bring in a damaged automobile for repair, a violation of the suspension.
7. Respondent voluntarily withdraws its request for a hearing dated September 2, 2009, voluntarily waives its right to appeal to Superior Court, admits that the allegations in paragraphs 1-6 are true, and agrees to take all necessary action as delineated in this Consent Agreement in order to restore and maintain its license in good standing.
 - a. Respondent's license is conditioned upon the following terms:
 - (i) Respondent shall pay a \$3,500.00 administrative penalty.
 - (ii) Respondent may resume auto body work, but cannot conduct any auto body painting at its facility whatsoever.
 - (iii) The cessation of painting shall continue in force until such time as the Respondent submits evidence that it is in full compliance with all fire safety standards.
 - (iv) Respondent shall comply with all terms and requirements for licensure under R.I. Gen. Laws § 5-38-1 *et seq.*
8. By signing this Agreement, Respondent acknowledges and understands that the Department will not renew its license and/or will seek the revocation of its license, with notice and opportunity for hearing, upon a finding that it has

engaged in any further administratively, criminally or civilly sanctionable conduct.

9. Respondent is hereby permitted to resume auto body collision repair work as more fully described in Section 7 of this Agreement.

The Department of Business Regulation and Respondent Herb Chambers Cadillac, Inc. hereby consent and agree to the foregoing.

Department of Business Regulation

Herb Chambers Cadillac, Inc.
101 Cadillac Drive
Providence, RI 02907

By: Maria D'Alessandro
Maria D'Alessandro
Associate Director, of Commercial
Licensing and Regulation and Racing
and Athletics

By: Larry Skinner
Larry Skinner, Its General Manager

*Before me
A Brooke Ellison
Notary Public*

Date: 9/11/09

Date: 9/11/09

CERTIFICATION

I hereby certify on this 11th day of September, 2009 that a copy of the within Consent Agreement was sent by first class mail, postage prepaid and certified mail, return receipt requested to:

Herb Chambers Cadillac, Inc.
101 Cadillac Drive
Providence, RI 02907

and by electronic mail to

Maria D'Alessandro, DBR
Thomas Broderick, DBR
Kimberly Precious, DBR

A Brooke Ellison