

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

IN THE MATTER OF: :  
 :  
DENT PROS, LLC, : DBR No.: 09-L-001  
 :  
RESPONDENTS :

CONSENT ORDER

The Department of Business Regulation (“DBR”/”Department”) and Dent Pros, LLC. (“Respondent”) hereby propose the following terms to resolve the above-captioned matter:

1. The Respondent acknowledges that DBR has alleged certain facts, statutory and regulatory authority and statutory violations against Respondent in an Order to Show Cause Why Cease and Desist Should Not Issue, Notice of Hearing and Appointment of Hearing Officer (“Order to Show Cause”) issued on June 18, 2009 in this matter. The Order to Show Cause is attached hereto as Exhibit One.
2. The Department represents that had this matter gone to hearing, the Department would have been prepared to present witnesses, documents, and other evidence of Respondent’s violations to support the alleged violations indicating that Respondent had engaged in unlicensed automobile body repair work in violation of licensing requirements in R.I. Gen. Laws § 5-38-1.
3. The Respondent acknowledges that had this matter proceeded to hearing that DBR may have been able to establish a factual basis to support a violation of

R.I. Gen. Laws §§ 5-38-1 and 4(b) indicating that Respondent engaged in unlicensed automobile body repair work that encompassed work other than paintless dent removal. In so acknowledging, however, the Respondent asserts that it did not willfully violate the applicable statutory scheme.

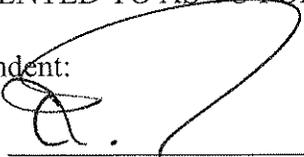
4. Respondent understands that the Department has evidence that it believes supports further unlicensed automobile body repair work that occurred after a Temporary Cease and Desist Order (barring unlicensed auto body repair work) was issued in this matter, which said conduct the Respondent denies.
5. Respondent voluntarily waives its right to complete the hearing process, voluntarily waives his right to appeal to Superior Court, and acknowledges that it has remedied any and all alleged violations and has taken all necessary action to ensure that no further unlicensed activity will be conducted by Respondent.
9. In order to advance the instant proceeding to conclusion, the Respondent hereby agrees to:
  - A. Permanently cease and desist from any violation(s) of R.I. Gen. Laws § 5-38-1, *et seq.*
  - B. Pay an administrative penalty of Three Thousand Five Hundred and 00/100 Dollars (\$3,500.00) for the alleged statutory violations described herein. Said payment shall be remitted by the Respondent to the Department within forty-five (45) days of the entry of this Consent Order. The subject administrative penalty, and any payment thereof by the Respondent, does not and/or shall not constitute any admission by the Respondent of any violation of the applicable statutory scheme, or any liability on the part of the Respondent in connection therewith.

10. The Department may initiate further administrative proceedings to impose appropriate penalties and seek appropriate remedies against Respondent for any alleged violations of this Consent Order.

11. This Consent Order in no way waives the Department's right to license Respondent's paintless dent removal activity should the Department determine that said licensure is necessary and appropriate under the applicable statutory scheme. Likewise, the Respondent reserves the right to challenge any such interpretation of the relevant statutory scheme by the Department.

CONSENTED TO AS TO FORM AND SUBSTANCE BY:

Respondent:

By:   
Christopher Mulhearn, Esq.  
Counsel for Respondent

  
John Medeiros, Member/Manager  
On behalf of Respondent

Department:

By:   
Neena Sinha Savage, Esq.  
Chief of Legal Services  
Department of Business Regulation

By:   
Maria L. D'Alessandro, Esq.  
Deputy Director  
Commercial Licensing Division

Date: 12/17/10

Date: 12/17/10

Recommended by:   
Catherine R. Warren, Esq.  
Hearing Officer

Date: 12/20/10

**ORDER**

I hereby ✓ approve \_\_\_\_\_ reject the Consent Order as agreed to by and between the parties in the above entitled matter.

Order Number: 10-153

Entered: 12-24, 2010

  
\_\_\_\_\_  
A. Michael Marques  
Director of Business Regulation

**THIS CONSENT ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42, CHAPTER 35. AS SUCH, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW OF SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING ITS RIGHT TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT ORDER, THE ABOVE RIGHTS ARE WAIVED AND IF ANY TERMS OF THIS CONSENT ORDER ARE VIOLATED, RESPONDENT'S LICENSE SHALL BE SUBJECT TO SUSPENSION OR REVOCATION.**

**CERTIFICATION**

I hereby certify that on this 24<sup>th</sup> day of December, 2010, a copy of this Consent Order was sent by first-class mail, postage prepaid and certified mail and e-mail to:

Dent Pros, LLC  
1094 Bald Hill Road  
Warwick, Rhode Island 02886

Christopher M. Mulhearn, Esq.  
Law Office of Christopher M. Mulhearn, Inc.  
55 Pine Street, 4th Floor  
Providence, RI 02903

and by hand delivery to:

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

Thomas Broderick  
Chief, Auto Body, Auto Wrecking and Salvage Operations  
Department of Business Regulation

Kimberly Precious  
Implementation Aide  
Department of Business Regulation

  
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