

**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:

Richard DiRuzzo d/b/a Pershing Auto Body,

Respondent.

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DBR No.: 10-L-0064

FINAL ORDER OF DISMISSAL

This matter arose pursuant to an Order to Show Cause, Notice of Hearing and Appointment of Hearing Officer (“Order to Show Cause”) that was issued on June 7, 2010 by the Department of Business Regulation (“Department”) to the above-captioned Respondent. The Department issued the Order to Show Cause as the Respondent is a licensed automobile body repair shop pursuant to R.I. Gen. Laws § 5-38-1 *et seq.* but in its renewal application dated April 5, 2010 for said license, it was unable to provide proof of fire safety requirements from East Providence (where Respondent is located) as required by R.I. Gen. Laws § 5-38-10 and Section 4B(v)(d) of *Commercial Licensing Regulation 4*.

In order to comply with the fire safety requirements, the Respondent sought a variance from the Fire Code Board of Appeals. In March, 2011, the Fire Safety Code of Review issued a decision granting a variance with a further review. On or about June 8, 2011, the Assistant Fire Marshal of East Providence provided a submission to the Department that the Respondent was in compliance with the fire code and there was no objection to the issuance of said license. Based on that submission, the Department requested that the Respondent’s license be issued.

Based on the forgoing and the Hearing Officer's due consideration thereof, it is hereby ordered that the Respondent's renewal application for said license be issued.

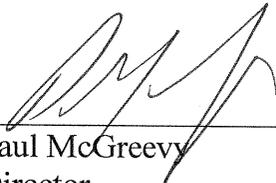
As recommended by:

Date: 6/13/11


Catherine R. Warren
Hearing Officer

I have read the Hearing Officer's recommendation and I hereby ADOPT/REJECT the recommendation of the Hearing Officer in the above-entitled Order of Dismissal.

Date: 14 June 2011


Paul McGreevy
Director

Entered as an Administrative Order No.: 11 - 050 this 15 day of June, 2011.

NOTICE OF APPELLATE RIGHTS

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify on this 15th day of June, 2011 that a copy of the within Order and Notice of Appellate Rights was sent by first class mail, postage prepaid to Richard DiRuzzo, Pershing Auto Body, 110 Pershing Street, East Providence, RI 02914 and by electronic delivery to Neena Sinha Savage, Esquire, Maria D'Alessandro, Deputy Director, and Kimberly Precious, Implementation Aide, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, RI.


A. B. Ellison