

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE, BLDG. 68
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF:

M&J DYNASTY AUTO BODY CORP.,

RESPONDENT.

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DBR No.: 08-L-0106

RECOMMENDATION AND ORDER

The undersigned recommends the above-captioned matter be closed because Respondent has surrendered its license.

The Director issued an Order to Show Cause, Notice of Hearing and Appointment of Hearing Officer to Respondent (“Order to Show Cause”) on July 2, 2008. The Order to Show Cause was issued because the Department had reason to believe that Respondent was in violation of R.I. Gen. Laws § 5-38-10(1) due to its deteriorating financial condition, the alleged exclusion of one of Respondent’s two shareholders from its operations, and its failure to maintain proper records. The latter also potentially violates R.I. Gen. Laws § 5-38-18.

In addition, the Department believed that persons other than the owners of the corporation holding the license were controlling the operations of Respondent without the excluded shareholder’s consent and without their own license.

Since the issuance of the Order to Show Cause, the parties represent that Respondent's lender has foreclosed on the property and its assets, essentially rendering the Order to Show Cause moot. At the status conference held on September 4, 2008, Respondent surrendered its license. As such, there is no longer a license at issue and the matter should be closed.

Recommended by:



Michael P. Jolin, Esq.
Hearing Officer

Date: Sept. 9, 2008

ORDER

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation to close this matter:

ADOPT
 REJECT
 MODIFY



A. Michael Marques
Director

Date: 09-09-08

ORDER NUMBER - 08-140 5

THIS 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.

CERTIFICATION

I hereby certify on this 10th day of September 2008, that a copy of the within Final Order was sent by first class mail, postage prepaid to:

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A. B. Ellison