

The filing of Department's Order was based on information provided to the Department that the Respondent was engaging in the solicitation of contributions, acting as a professional fundraiser and solicitor and engaging in fraudulent schemes to defraud the public in connection with such solicitation and fundraising.

The Respondent failed to appear at a show cause hearing held at the Department on the hearing date, after having been duly served with notice of the hearing in accordance with R.I. Gen. Laws § 42-35-9.

II. JURISDICTION

The Department has jurisdiction over this matter pursuant R.I. Gen. Laws §§ 5-53.1-1 et seq. and R.I. Gen. Laws § 42-35-9.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

After review of the evidence submitted by counsel for the Department, the undersigned Hearing Officer makes the following findings of fact:

1. The Respondent was duly noticed of the pendency of this matter, and the Department satisfied its burden to so notify the Respondent of these proceedings in accordance with R. I. Gen. Laws § 42-35-9.
2. A default judgment against Respondent is appropriate given his failure to appear and/or defend this action pursuant to Section 21 of *Central Management Regulation 2 – Rules of Procedure for Administrative Hearings*.
3. Respondent Rotatori owns and operates Ronnie D and Associates located at 7 Pezzulo Street, Johnston, Rhode Island. Respondents are not licensed as Professional Fundraisers or Professional Solicitors in the State of Rhode Island in accordance with R.I. Gen. Laws § 5-53.1-1 et seq.
4. On July 22, 2013, the Department received information from the Little Kids Rock, Inc. ("LKR") national charitable organization, registered as a charity

with the Department, reporting that it was in receipt of an email from a Rhode Island resident indicating that she had been contacted by a group identifying itself as Little Kids Rock Rhode Island (“LKR RI”) and soliciting contributions.

5. LKR has advised the Department that LKR RI is not an approved chapter of their national organization and is not authorized to solicit contributions on their behalf in Rhode Island, or in any other jurisdiction.
6. On August 7, 2013, examiners with the Department conducted a for-cause examination and discovered numerous checkbook, deposit slips, and statement registered to “Little Kids Rockk Rhode Island dba Stop Texts Stop Wrecks” relating to the Respondents.
7. On August 7, 2013 thousands of charitable contribution receipts made by Rhode Island residents dated within the immediately preceding six month period were found for various charities. Summary sheets tallying year-to-date receipts were also present. Also found at that time was evidence that unregistered solicitors employed by the Respondent had engaged in fundraising and charitable solicitation in Rhode Island.
8. The unauthorized solicitation and fundraising practices described herein and uncovered in the course of the Department’s examination into the activities of the Respondents constitute violations of R.I. Gen. Laws § 5-53.1 *et seq.* The Solicitation by Charitable Organizations Act.
9. There is sufficient cause under R.I. Gen. Laws § 5-53-1 *et seq.* to issue a permanent cease and desist order against Ronald Rotatori, Ronnie D and Associates and any future entity formed, owned or operated by either from any form of professional fundraising, or solicitation of charitable contributions, pursuant to the provisions of R.I. Gen. Laws § 5-53.1-14(3).

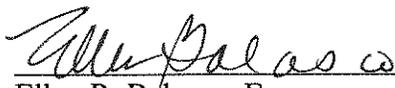
10. Each of the allegations made in the Department's Order to Show Cause has been proven by the Department and is confirmed by the Hearing Officer as uncontroverted evidence.

V. RECOMMENDATION

Based on the above analysis, the Hearing Officer recommends that the Director of the Department Order that:

1. Default judgment be entered against the Respondents based on their failure to appear and/or defend this enforcement action;
2. The Respondents Ronald Rotatori, Ronnie D and Associates and any future entity formed, owned or operated by either shall hence for the and permanently cease and desist from any form of professional fundraising, or solicitation of charitable contributions requiring registration with the Rhode Island Department of Business Regulation.
3. The Department's right to impose an administrative fine or penalty for the above violations pursuant to R.I. Gen. Laws § 5-53.1-14 is specifically reserved and may be asserted as deemed necessary and appropriate by the Department after notice and hearing to Respondent.
4. This matter shall be referred by the Department's Enforcement Division to the Rhode Island Department of Attorney General for investigation and prosecution if warranted. The Department shall have a continuing duty to cooperate with the Department of Attorney General in the investigation of this matter and the prosecution of any criminal charges which may issue if requested to do so.

DATED: 11/8/13



Ellen R. Balasco, Esq.
Hearing Officer

ORDER

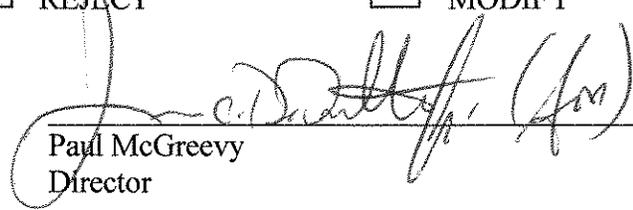
I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

ADOPT

REJECT

MODIFY

Dated: 11/26/13


Paul McGreevy
Director

ENTERED as Administrative Order No. 13053 on the 12th day of Nov., 2011.

THIS ORDER OF DISMISSAL CONSTITUTES A FINAL DECISION OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-1 ET SEQ. AS SUCH, THIS DECISION MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR 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 IN SAID COURT.

CERTIFICATION

I hereby certify that on the 12th day of November 2013, a true copy of this Decision and Order was sent by first class mail, postage prepaid to:

Ronald Rotatori at 7 Pezzullo Street, Johnston, RI 02919

and by electronic mail to the following parties at the Department of Business Regulation:

Maria D'Allesandro, Deputy Director of Commercial Licensing, Securities and Racing and Athletics, Neena Sinha Savage, Chief of Legal Services