

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:

CHRISTOPHER TUCCI,
d/b/a INSANE DIPS,

RESPONDENT.

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DBR No. 18AB015

CONSENT AGREEMENT

The Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement (“Agreement”) with Respondent Christopher Tucci d/b/a Insane Dips (“Respondent”) to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d).

It is hereby agreed by and between the Division and the Respondent that:

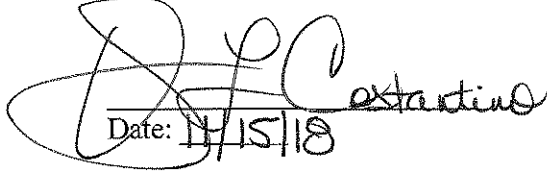
1. The Respondent Christopher Tucci is the owner of the business operating as Insane Dips.
2. From January 2016, up to and including July 26, 2018, Insane Dips was located at 35 Moshassuck Rd., Lincoln, Rhode Island, where it possessed a fully equipped auto body shop, a paint mixing system and spray booth, and where partially dismantled vehicles and freshly painted motor vehicle parts were located. The description on Insane Dips’ Facebook page identified the business as an “automotive repair shop,” and identified pictures of specific vehicles’ bodies that it had repaired.
3. The Respondent never applied for or possessed any class of Auto Body Repair License (“License”) at the time Insane Dips was operating.

4. On July 13, 2018, the Department issued an Order to Show Cause Why Order Should Not Issue to Cease & Desist Unlicensed Activities, Notice of Intent to Impose Administrative Penalties, Notice of Hearing and Appointment of Hearing Officer (“Cease and Desist Order”).
5. On August 7, 2018, a pre-hearing conference was held at the Department where the Parties agreed to pursue a possible resolution of the matter by way of Consent Agreement.
6. It is the Department’s position that Respondent was performing auto body repair work at the location of Insane Dips without a license, which is a violation of R.I. Gen. Laws § 5-38-4(b).
7. However, in order to resolve this matter amicably and avoid the time and costs of an administrative hearing, and in consideration of the mitigation information presented to the Division, the Department and Respondent hereby agree to the following:
 - a. The Respondent performed auto body repair work at the business location for Insane Dips without a license;
 - b. After receiving the Department’s Cease and Desist Order, the Respondent ceased operations of Insane Dips at 35 Moshassuck Rd., Lincoln, RI on July 31, 2018, and submitted photographs to the Department confirming the same;
 - c. In consideration of Respondent’s admissions, compliance, mitigation and lack of consumer complaints, the Department agrees to consider approval of Respondent’s future motor vehicle body work license application subject to satisfaction of all the requirements of 230-RICR-30-05-2, including but not limited to §§ 2.12(A) and (D).
8. By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and

waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*

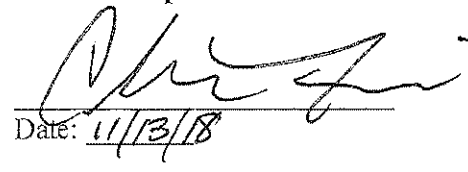
9. If Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein or as extended by agreement of the Parties, Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
10. Compliance with the terms of this Consent Agreement does not relieve Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.
11. This Consent Agreement shall be deemed entered into as of the date of execution by all parties. This Consent Agreement shall be binding upon Respondent's successors.

For the Division:


Date: 11/15/18

Donna L. Costantino, MBA
Associate Director
Commercial Licensing and Regulation

For the Respondent:


Date: 11/13/18

Christopher Tucci
Owner/Operator of
Insane Dips

CERTIFICATION

I hereby certify that on this 16th day of November 2018 a copy of this Consent Agreement was sent by first class mail, postage prepaid, to:

Christopher Tucci c/o Distinctive Auto Body 164 Fountain Ave. Cranston, RI 02920

AND BY E-MAIL TO:

1. Catherine Warren, Esq., Hearing Officer (Catherine.Warren@doa.ri.gov)
2. Donna Costantino, MBA, DBR Deputy Director, Division of Commercial Licensing and Regulations (Donna.Costantino@dbr.ri.gov)
3. Kim Precious, DBR Implementation Aide (Kimberly.Precious@dbr.ri.gov)
4. Sara Tindall-Woodman, Esq., Department's Legal Counsel
(Sara.K.TindallWoodman@dbr.ri.gov)
5. Jina Petrarca-Karampeostos, Esq., Respondent's Legal Counsel (Jina@petrarcalaw.com)

