



AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, SEPTEMBER 12, 2013
9:00 A.M.

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Texas Department of Motor Vehicles. Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Board. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

1. CALL TO ORDER

- A. Roll Call and Establishment of Quorum
- B. Public Comment
- C. Comments and Announcements from Chairman, Board Members and Executive Director

2. CONSENT AGENDA - Bill Harbeson (see attached itemized list A)

- A. Consideration of Enforcement Agreed Orders under Occupations Code, Chapter 2301
- B. Consideration of Enforcement Notice of Violation Citation Agreed Orders under Occupations Code, Chapter 2301
- C. Consideration of Enforcement Dismissal Orders under Occupations Code, Chapter 2301
- D. Consideration of Settlement and Dismissal Orders under Occupations Code, Section 2301.204 (Warranty Performance Complaints)
- E. Consideration of Franchise Case Dismissal Orders under Occupations Code, Chapter 2301

3. RESOLUTIONS for INDIVIDUAL CONSIDERATION - CONTESTED CASES

- A. Consideration of Enforcement Motions for Disposition Based on Default under Occupations Code, Chapter 2301 - Bill Harbeson**
(see attached itemized list B)
- B. Warranty Performance Proposal For Decision under Occupations Code, Chapter 2301 - Mark Gladney**
13-0094 CAF - Lorene Owens and Aubrey B. Owens v. Ford Motor Company
ALJ recommends dismissal

4. RESOLUTIONS for INDIVIDUAL CONSIDERATION - RULES

- A. Adoption of Rules under Title 43, Texas Administrative Code Chapter 215, Related to e-Tags - Bill Harbeson**
Section 215.158, General Requirements and Allocation of Internet-down Tag Numbers
- B. Proposal of Rules under Title 43, Texas Administrative Code**

1. **Chapter 215, Motor Vehicle Distribution - Bill Harbeson**
New Section 215.58, Delegation of Final Order Authority
 2. **Chapter 215, Motor Vehicle Distribution - Bill Harbeson**
Subchapter H, Advertising, Sections 215.244, 215.245, 215.246, 215.250, and 215.269
 3. **Chapter 215, Motor Vehicle Distribution - Bill Harbeson**
Section 215.304, Notice of Alleged Violation - Repeal
New Subchapter J, Administrative Sanctions
 4. **Chapter 217, Vehicle Titles and Registration - Randy Elliston**
Subchapter B, Motor Vehicle Registration, Sections 217.21, 217.23, 217.24, 217.26, and 217.29
5. **BRIEFINGS and ACTION ITEMS**
- A. **Committee Updates**
 1. **Projects and Operations Committee - Laura Ryan**
 2. **Finance and Audit Committee - Raymond Palacios**
 - B. **Approval of FY 2014 Interagency Agreement between TxDOT and TxDMV - Whitney Brewster**
 - C. **Approval of Recommended Resolution Adopting Contract and Project Approval Procedures to Replace April 11, 2013 Resolution - Linda Flores**
 - D. **Approval or Ratification of TxDMV Automation Projects/Contracts - Joshua Kuntz and Eric Obermier**
 1. Information Technology Staff Augmentation (4 Project Managers) - Vendor(s) from Texas Department of Information Resources List
 2. Information Technology Staff Augmentation (2 Developer Analysts) - Vendor(s) from Texas Department of Information Resources List
 3. Information Technology Staff Augmentation (2 System Analysts) - Vendor(s) from Texas Department of Information Resources List
 4. Information Technology Staff Augmentation (1 Developer Analyst) - Vendor from Texas Department of Information Resources List
 5. Information Technology Staff Augmentation (2 System Analysts) - Vendor(s) from Texas Department of Information Resources List
 6. Information Technology Staff Augmentation (1 Developer) - Vendor from Texas Department of Information Resources List
 7. Information Technology Staff Augmentation (1 Network Administrator) - Vendor from Texas Department of Information Resources List
 8. Temporary Staff Services (1 System Support Specialist) - TIBH Industries, Inc.
 9. Software required for Registration and Title Services (RTS) Refactoring Project
 - E. **Approval for Objectwin Technologies Contract Renewal - Jeremiah Kuntz**

- F. Approval for Administrative Contracts - Linda Flores**
 - 1. Shipping Services - FedEx Government Services
 - 2. Regional Janitorial Services - TIBH Industries, Inc.
- G. Approval of Recommended Fiscal Years 2014-2015 Operating Budget - Linda Flores**
- H. Recommended Credit Card Fee Options - Linda Flores**
- I. Approval of Recommended FY 2014 Internal Audit Plan - Bill Lawler**
- J. Approval of Specialty Plate Redesign - Randy Elliston**
Dallas Stars Hockey
- K. Request for Formal Opinion Seeking Clarification of the New Point and Relocation Protest Rights of New Engine, Transmission, and Rear Axle Licensed Franchise Dealers - Bill Harbeson and Ken Herring**
- 6. REPORTS**
 - A. Legislative Implementation Progress Report - Jeremiah Kuntz**
 - B. Executive Director Reports - Whitney Brewster**
TxDMV - related activities identified as noteworthy, which may include reports.
 - 1. Performance Measures
 - 2. RTS Refactoring Project
- 7. EXECUTIVE SESSION**
 - A. Section 551.071 - Consultation with and advice from legal counsel regarding:**
 - 1. pending or contemplated litigation, a settlement offer;
 - 2. a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Government Code, Chapter 551; or
 - 3. any item on this agenda.
 - B. Section 551.074 - Personnel matters.**
Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
- 8. ACTION ITEMS FROM EXECUTIVE SESSION**
- 9. ADJOURNMENT**

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Texas Government Code, Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

Agenda items may be presented by the named presenters or other TxDMV staff.

Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than 2 days in advance, so that appropriate arrangements can be made. Contact Stacy Steenken by telephone at (512) 302-2380.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: Aline Aucoin, Interim General Counsel, (512) 467-3883.

Board of the Texas Department of Motor Vehicles
Attached List A
September 12, 2013
Agenda Items 2.A. - E.
Consent Agenda

2. **A. Consideration of Enforcement Agreed Orders under Occupations Code, Chapter 2301**
 1. **10-1247 ENF - Texan Clear Choice Auto, LLC, DBA Texan Clear Choice Auto, LLC**
Failure to allow purchaser to select county for registration: Transp Code .0234(d),(e) \$500.00
 2. **11-0172 ENF - Cartac Inc., DBA Cartac**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to answer the telephone, have it answered by a bona fide employee or to have an answering machine or service in operation during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
Attend a Dealer Training Seminar.
 3. **11-0260 ENF - R & D Motors Inc., DBA R & D Motors Inc.**
Failure to timely pay lien on a motor vehicle traded in: Finance Code 348.408(c), Occ Code 2301.651(a)(4)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Cease and desist
 4. **11-0409 ENF - Global Motorcars of Houston LLC, DBA Global Motorcars of Houston LLC**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234 \$500.00 and attend a Dealer Training Seminar.
 5. **11-0445 ENF - Hyatt Imports, Inc., DBA Hyatt Imports, Inc.**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234 \$1,250.00
 6. **11-0737 ENF - Gregoria Garcia, DBA Gollo Auto Sales**
Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234 \$500.00 and attend a Dealer Training Seminar.
 7. **11-0913 ENF - Golden Gator, Inc., DBA Action Auto Recycling**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to have business hours posted at the dealer's location: Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Attend a Dealer Training Seminar.

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- 8. 11-0959 ENF - Greg Tupper, DBA G T Investments**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$250.00 and attend a Dealer Training Seminar.
- 9. 12-0070 ENF - Joseph Dib, DBA JD Motors**
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
\$250.00 and attend a Dealer Training Seminar.
- 10. 12-0112 ENF - Abir Nasreddine, DBA Last Chance Auto Sales**
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements:
Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153
and 215.154
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to allow purchaser to select county for registration: Transp Code
501.0234(d),(e)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$5,000.00
- 11. 12-0305 ENF - Hanan Tuchshnieder, DBA Auto Spot**
Advertised a monthly payment in connection with a credit transaction without including
the amount or percentage of the down payment, number of months to make repayment
and annual percentage rate (APR): 43 TAC 215.263
\$2,000.00
- 12. 12-0324 ENF - Garry Lee Welborn, DBA Nationwide Import Cars**
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
\$500.00 and attend a Dealer Training Seminar.
- 13. 12-0829 ENF - Prestige Ford Co Limited Partnership, DBA Randall Reed's Planet
Ford**
Sold or offered to sell motor vehicles on consecutive Saturday and Sunday: Transp
Code 728.002
\$250.00
- 14. 12-1041 ENF - Dallas Hyundai, Inc., DBA South Dallas Hyundai**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code
2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00 and attend a Dealer Training Seminar.

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- 15. 12-1115 ENF - Maxwell Ford, Inc., DBA Maxwell Ford, Maxwell Ford Supercenter**
Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00 and attend a Dealer Training Seminar.
- 16. 12-1273 ENF - Sherrard Auto Sales, Inc., DBA Sherrard Auto Sales**
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
Cease and desist
- 17. 12-1347 ENF - Jose Alfredo Perez Jr, / Hector Herrera, DBA Expo Auto**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14);
43 TAC 215.140(1)(B)
\$500.00
- 18. 12-1442 ENF - Shafaamri Incorporated, DBA Texas Import Sales**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$1,000.00 and attend a Dealer Training Seminar.
- 19. 12-1447 ENF - S-Banna Investment Group, Inc., DBA Car Values**
Aided and abetted the unlicensed sale of a motor vehicle: Occ Code 2301.351
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Filed a false title and tax document: Transp Code 503.038(a)(2)
\$2,000.00 and attend a Dealer Training Seminar.
- 20. 12-1499 ENF - Ornelas Transport LLC, DBA Ornelas Auto Sales**
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements:
Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153
and 215.154
Failure to take assignment of title or MCO: Transp Code 503.038(a)(3) and
43 TAC 215.141(a)(13)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
License is cancelled
- 21. 12-1708 ENF - Jon Wesley Hester, DBA J & G Freedom Motors**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14);
43 TAC 215.140(1)(B)
\$250.00 and attend a Dealer Training Seminar.

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- 22. 13-0080 ENF - Oscar M. Perez, DBA Rosy's Auto Sale**
Aided and abetted the unlicensed sale of a motor vehicle: Occ Code 2301.351
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$750.00 and attend a Dealer Training Seminar.
- 23. 13-0110 ENF - Best Drive Auto, Inc., DBA Best Drive Auto**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$3,000.00 and attend a Dealer Training Seminar.
- 24. 13-0301 ENF - Carmen Lopez, DBA Car Finders**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$1,000.00 and attend a Dealer Training Seminar.
- 25. 13-0319 ENF - Sena Saburi, DBA Republic Auto of Texas**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
\$500.00 and attend a Dealer Training Seminar.
- 26. 13-0344 ENF - Manuela Cantu, DBA Toby Auto Sales**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00 and attend a Dealer Training Seminar.
- 27. 13-0358 ENF - Leon Vardell Madding, DBA Go Time Auto Sales**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to timely transfer title to out of state purchaser: 43 TAC 215.144(f)
\$500.00 and attend a Dealer Training Seminar.
- 28. 13-0382 ENF - Drive Now Cars, LLC, DBA Drive Now Cars, LLC**
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14),
Tax Code 152.0411 and 43 TAC 215.141(a)(23)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00
- 29. 13-0387 ENF - Juan F. Garza, DBA Garza's Auto Sales**
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152

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\$500.00 and attend a Dealer Training Seminar.

30. 13-0432 ENF - Albert Chitanda, DBA S & C Auto Sales

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152

\$500.00 and attend a Dealer Training Seminar.

31. 13-0490 ENF - Tmcervantes Enterprises, LLC, DBA Moreno and Sons Auto Sales

Filed a false title and tax document: Transp Code 503.038(a)(2)

Filed an application for Texas Certificate of Title containing false or fraudulent lien information: Transp Code 503.038(a)(2)

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

License is revoked - oppose new or renewal for two years

32. 13-0505 ENF - David G. Davis, DBA Davis Auto Sales

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)

\$500.00 and attend a Dealer Training Seminar.

33. 13-0534 ENF - AMPM Auto Haus, Inc., DBA AMPM Auto Haus, Inc.

Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)

Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136

License is cancelled

34. 13-0677 ENF - Ihab Mohammed Munier Shrideh, DBA Texas Advanced Motors

Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)

Failure to take assignment of title or MCO: Transp Code 503.038(a)(3) and 43 TAC 215.141(a)(13)

\$500.00 and attend a Dealer Training Seminar.

35. 13-0682 ENF - Efrain Orozco, DBA Orozco Auto Sales

Misuse of dealer's metal plate: Transp Code 503.038(a)(5) and 43 TAC 215.141(a)(10)

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)

Sold or offered to sell salvage vehicles without the proper license: 43 TAC 217.72(a)

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

\$2,000.00 and attend a Dealer Training Seminar.

36. 13-0688 ENF - Clear Lake Auto World Inc., DBA Clear Lake Auto World, Inc.

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

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\$500.00

37. 13-0704 ENF - General Motors LLC, DBA General Motors LLC

Participated in a new motor vehicle show without obtaining written approval in a timely manner: Occ Code 2301.358

\$5,000.00

38. 13-0730 ENF - Lisa L. Scott, DBA Pal's Auto Center

Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$250.00 and attend a Dealer Training Seminar.

39. 13-0731 ENF - GPI TX-SBII, Inc., DBA BMW of El Paso, Mini of El Paso

Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

\$500.00

40. 13-0732 ENF - Lithia DMID, Inc., DBA All American Chrysler Jeep Dodge of Midland

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)

Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152

\$500.00 and attend a Dealer Training Seminar.

41. 13-0734 ENF - Daniel Garcia, DBA Genesis Auto Sales

Misuse of temporary dealer tag or failed to comply with recordkeeping requirements:

Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

\$1,500.00

42. 13-0772 ENF - Tury's Auto Sales, Inc.

Aided and abetted the unlicensed sale of a motor vehicle by allowing the use of its GDN number: Occ Code 2301.351

Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)

Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)

Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43 TAC 215.141(a)(3)

Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136

Failure to timely transfer title and pay sales tax: Transp Code 501.0234

\$5,000.00 and attend a Dealer Training Seminar.

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- 43. 13-0783 ENF - Trevino's Auto Sales, Inc., DBA Mr B Motor Co.**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00
- 44. 13-0791 ENF - Texas La Fiesta Auto Sales LLC, DBA La Fiesta Auto Sales**
Advertised the amount of down payment in connection with a credit transaction without including the terms of repayment: 43 TAC 215.263
\$2,000.00
- 45. 13-0796 ENF - Brew Pontiac, Inc., DBA Brew Pontiac-Honda, Fenton Honda of Longview**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$3,000.00 and attend a Dealer Training Seminar.
- 46. 13-0859 ENF - Ryan Thomas McKesson, DBA North Texas Autosports**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to have business hours posted at the dealer's location: Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
\$500.00
- 47. 13-0891 ENF - John Porter, DBA J P Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to have dealer or a bona fide employee present during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
Attend a Dealer Training Seminar.
- 48. 13-0892 ENF - Lithia CJDSA, Inc., DBA All American Chrysler Jeep Dodge of San Angelo**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00
- 49. 13-0895 ENF - Phillip Hull, DBA Phil's Auto Sales**
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
\$500.00 and attend a Dealer Training Seminar.
- 50. 13-0896 ENF - Superior Auto Brokers, LLC., DBA Superior Auto Brokers, LLC**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Cease and desist

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- 51. 13-0897 ENF - Hannon, Inc., DBA Auto Plaza**
Advertised a monthly payment in connection with a credit transaction without including the amount or percentage of the down payment, number of months to make repayment and annual percentage rate (APR): 43 TAC 215.263
\$1,000.00 and attend a Dealer Training Seminar.
- 52. 13-0898 ENF - Auto Xtreme, Inc., DBA Auto Xtreme, Inc.**
Advertised a monthly payment in connection with a credit transaction without including the amount or percentage of the down payment, number of months to make repayment and annual percentage rate (APR): 43 TAC 215.263
Advertised "Everyone is Approved", thereby representing that no prospective credit purchaser will be rejected: 43 TAC 215.247(2)
\$1,000.00 and attend a Dealer Training Seminar.
- 53. 13-0899 ENF - Daniel Bazaldua, DBA Lone Star Auto**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00
- 54. 13-0902 ENF - Lonnie Matthews, Jr., DBA L & A Auto Sales**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00 and attend a Dealer Training Seminar.
- 55. 13-0907 ENF - Sherman PI LLC, DBA Pers Auto**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$1,500.00 and attend a Dealer Training Seminar.
- 56. 13-0910 ENF - Kelley's Used Auto Parts Inc., DBA Kelley's Used Auto Parts Inc.,**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$500.00 and attend a Dealer Training Seminar.
- 57. 13-0940 ENF - Xevex, LLC DBA Xevex Auto Sales**
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
\$500.00

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- 58. 13-0953 ENF - Samuel Smith & Associates, DBA Specialist Motor Sales.com**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to allow purchaser to select county for registration:
Transp Code 501.0234(d),(e)
\$500.00 and attend a Dealer Training Seminar.
- 59. 13-0979 ENF - Emerio Roche, DBA Roche Auto Sales**
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements:
Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153
and 215.154
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$2,000.00
- 60. 13-0981 ENF - Ed Payne Motors LLP**
Filed a false title and tax document: Transp Code 503.038(a)(2)
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements:
Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153
and 215.154
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$1,000.00
- 61. 13-0988 ENF - Ramiro E. Sanchez, DBA Sanchez Tire Shop #3(Salvage Dealer)**
Engaged in activities outside of salvage dealer license: Transp Code 503.021 and
503.095
\$500.00
- 62. 13-0992 ENF - Jal-Mex Auto Sales, DBA Jal-Mex Auto Sales(Salvage)**
Sold a motor vehicle required to be registered and titled a "blue title" which respondent
owned, without first transferring title to this vehicle to himself: Transp Code 501.022(c)
and TAC 217.81(b)(16)
\$500.00
- 63. 13-0995 ENF - Elaine T. Centanni, DBA Etc Autos**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Attend a Dealer Training Seminar.

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- 64. 13-0999 ENF - L&L Auto Sales, DBA L&L Auto Sales #31240281**
Sold or offered for sale a salvage titled motor vehicle from a location other than a licensed salvage vehicle dealer's business location: 43 TAC 217.76(b), Occ Code 2302.108 and 2302.354 and 43 TAC 217.81(b)(12) and 217.81(c)
Cease and desist
- 65. 13-1003 ENF - AJS Motors LLC, DBA AJS Auto Sales**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to display license: 43 TAC 215.140(14)
Failure to have dealer or a bona fide employee present during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
Attend a Dealer Training Seminar.
- 66. 13-1007 ENF - W & A Used Auto Parts, DBA W & A Used Auto Parts (Salvage #108236077)**
Failure to keep accurate records by a salvage dealer: Occ Code 2302, 43 TAC 217.80(a), constituting grounds for sanctions under Occ Code 2302.108 and 2302.354 and 43 TAC 217.81(b)(2) and 217.81(c).
Respondent allowed the use of its license for the purpose of avoiding salvage dealer laws: 43 TAC 217.81(b)(11), Occ Code 2302.108 and 2302.354 and 43 TAC 217.81(c)
Cease and desist as salvage dealer and oppose new or renewal for four years
- 67. 13-1010 ENF - Dargel Boats, Inc.**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to have written consignment agreement: 43 TAC 215.144(g)
Filed a false title and tax document: Transp Code 503.038(a)(2)
\$500.00 and attend a Dealer Training Seminar.
- 68. 13-1019 ENF - Gunn Nissan LTD, DBA Gunn Nissan LTD**
Featured a savings claim not available to all buyers: 43 TAC 215.262(b)
\$2,000.00
- 69. 13-1022 ENF - Beasley Wilson Inc., DBA Miller Kia, Miller Mazda, Miller Suzuki**
Aided and abetted the unlicensed sale of a motor vehicle: Occ Code 2301.351
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$500.00 and attend a Dealer Training Seminar.
- 70. 13-1026 ENF - Basin Subaru, LLC, DBA Corpus Christi Preowned, Corpus Christi Subaru**
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements: Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code

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503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)
Failure to timely pay lien on a motor vehicle traded in: Finance Code 348.408(c),
Occ Code 2301.651(a)(4)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$1,500.00 and attend a Dealer Training Seminar.

71. 13-1030 ENF - Mostafa Sabih, DBA Best Automotive & Used Cars

Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00 and attend a Dealer Training Seminar.

72. 13-1077 ENF - Simply Motorsports, LLC, DBA Simply Motorsports LLC

Failure to allow purchaser to select county for registration: Transp Code
501.0234(d),(e)
\$500.00

73. 13-1079 ENF - R T Sparks Autos, Inc.,

Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
\$500.00 and attend a Dealer Training Seminar.

74. 13-1086 ENF - Eli Dehoyos, DBA Pharr Cars on Credit

Failure to provide the Federal Trade Commission Buyer's Guide in Spanish after
conducting the sale in Spanish: 16 C.F.R. 455.5 and Occ Code 2301.651(a)(4)
Cease and desist

75. 13-1109 ENF - Ricardo E. Galvan, DBA Galvan Auto Sales

Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00

76. 13-1110 ENF - Luis Garcia, DBA Louie Auto Sales

Misuse of temporary dealer tag or failed to comply with recordkeeping requirements:
Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153
and 215.154
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$2,500.00 and attend a Dealer Training Seminar.

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- 77. 13-1112 ENF - Xavier Cardona, DBA Real Street Auto Sales, Real Street Auto Sales #2**
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements: Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$500.00
- 78. 13-1119 ENF - Ron Hoover Companies of Rockport, Inc., DBA Ron Hoover Companies of Rockport, Inc.**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Attend a Dealer Training Seminar.
- 79. 13-1152 ENF - Gloria Q. Mares, DBA Mares Motors**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
\$1,000.00 and attend a Dealer Training Seminar.
- B. Consideration of Enforcement Notice of Violation Citation Agreed Orders under Occupations Code, Chapter 2301**
- 1. 13-0854 ENF - Malova Auto Group Inc., DBA Malova Auto Group Inc.**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 2. 13-0870 ENF - H-Town Motors Inc., DBA H-Town Motors**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$50.00
- 3. 13-0916 ENF - Gabriel Bocaneora, DBA Gabriel's Auto Sales and Services**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$150.00
- 4. 13-0937 ENF - Charlene M. Connolly, DBA Cash Cars**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to observe right of way: 43 TAC 215.140(11)(c)
\$200.00
- 5. 13-1059 ENF - Najwa Al-Muasher, DBA American Auto Sales**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$50.00
- 6. 13-1060 ENF - MH & Sons Inc., DBA Motor Car Finance**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)

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\$100.00

- 7. 13-1061 ENF - TSW Financial LLC, DBA TSW Financial LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to observe right of way: 43 TAC 215.140(11)(c)
\$300.00
- 8. 13-1065 ENF - Villa Paras Inc., DBA Lacho Ayala Motors**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$50.00
- 9. 13-1066 ENF - Southern Comfort Choppers, Trikes & Rides LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$250.00
- 10. 13-1069 ENF - Travis Crawford Buick GMC Truck, DBA Crawford Buick GMC, Crawford Buick Pontiac**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
100.00
- 11. 13-1072 ENF - Rudolph Chevrolet LLC, DBA Rudolph Chevrolet**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$50.00
- 12. 13-1073 ENF - Magdaleno De La Cruz / Domitila De La Cruz, DBA Ruby's Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$200.00
- 13. 13-1074 ENF - Albert J. Mascola II, DBA Alamo Car Center**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$150.00
- 14. 13-1095 ENF - Hector Reyna Sr., DBA Diamante Motors**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$150.00
- 15. 13-1096 ENF - Credit Plex Auto Sales LLC, DBA Greenville Mitsubishi**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$200.00

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- 16. 13-1097 ENF - Britain Chevrolet Inc., DBA Britain Chevrolet**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 17. 13-1098 ENF - Orr Motors of Greenville Inc., DBA Nissan of Greenville**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14);
43 TAC 215.140(1)(B)
\$250.00
- 18. 13-1100 ENF - Jose Sandoval Mejia, DBA JMS Auto Sales**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$50.00
- 19. 13-1102 ENF - Southwest Buick GMC of East Texas LLC, DBA Southwest Buick GMC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 20. 13-1104 ENF - Paul B. Merrell, DBA Merrell Used Cars**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 21. 13-1106 ENF - Mike Garrison, DBA Rock Hill Used Cars**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 22. 13-1108 ENF - Austin Finance Company, LLC, DBA Austin Finance Company LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by manufacturer, distributor or converter:
43 TAC 215.115
\$250.00
- 23. 13-1120 ENF - Bar-W Ford Mercury - Tulia LTD, DBA Bar-W Ford**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 24. 13-1121 ENF - Ahmadi, Inc., DBA Certified Auto Group**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to observe right of way: 43 TAC 215.140(11)(c)
\$200.00
- 25. 13-1122 ENF - Cesar Used Cars, Inc., DBA Cesar Used Cars, Inc.**

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Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$150.00

- 26. 13-1131 ENF - Wathiq Al-Khazali, DBA Motor-Tex**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 27. 13-1133 ENF - Laredo Reliant Transfers, LLC, DBA Dice Motor Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00
- 28. 13-1135 ENF - Racing Motors LLC, DBA Racing Motors LLC**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$150.00
- 29. 13-1143 ENF - Jose A. Carlos, DBA Carlos Auto Sales**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$150.00
- 30. 13-1137 ENF - Marlene Terrazas Vasquez, DBA Tarrazas Auto Sales**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$150.00
- 31. 13-1138 ENF - Cavazos Auto Sales Inc., DBA Cavazos Auto Sales Inc.**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to observe right of way: 43 TAC 215.140(11)(c)
\$150.00
- 32. 13-1163 ENF - Abdolhamid Vatankhah, DBA Direct Autoplex**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$50.00
- 33. 13-1165 ENF - First Caprock Investments LP, DBA BI-Wize Auto**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
\$50.00
- 34. 13-1166 ENF - Wade E. Maynard, DBA Auto Unlimited**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
\$150.00
- 35. 13-1167 ENF - Texas Auto Investors LTD, DBA Whiteface Ford**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14

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\$50.00

36. 13-1171 ENF - Jose Manuel Sanchez, DBA J & D Autos

Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
\$200.00

37. 13-1187 ENF - Speed Motors LLC, DBA Speed Motors LLC

Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
\$100.00

**C. Consideration of Enforcement Dismissal Orders under Occupations Code,
Chapter 2301**

1. **10-0308 ENF - JDJS Auto Center, Inc., DBA Tyler Mitsubishi**
2. **11-0532 ENF - Curry Auto Leasing, Inc.**
3. **11-1444 ENF - G & P Auto Sales LLC, DBA G & P Auto Sales LLC**
4. **12-1003 ENF - Manuel Luna, DBA Encino Motors**
5. **12-0561 ENF - TNT Reconditioners**
6. **12-1205 ENF - R D Morrison / R D Morrison, Jr., DBA Lone Star Autoz**
7. **12-1501 ENF - White Rock Auto Sales, Inc., DBA White Rock Auto Sales, Inc.**
8. **12-1710 ENF - Marcos Flores / Rica Eliza Flores, DBA Flores Auto Sales**
9. **13-0363 ENF - Layth Motors Corporation, DBA Layth Auto Sales**
10. **13-0456 ENF - North Park Lincoln Mercury, Inc., DBA North Park Isuzu,
North Park Lincoln Mercury, North Park Subaru**
11. **13-0837 ENF - Sami's Auto Sales, Inc.**
12. **13-0950 ENF - Royal Blue Auto Sales, LLC**
13. **13-1001 ENF - Carlos Hinojosa, DBA Hinojosa Auto Sales (Salvage #31501989)**
14. **13-1093 ENF - Transworld Leasing Corporation, DBA Transworld Leasing
Corporation**
15. **13-1126 ENF - Big C Auto Sales, LLC**

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16. 13-1168 ENF - John Andrews, DBA Andrews Motors

**D. Consideration of Settlement and Dismissal Orders under Occupations Code,
Section 2301.204 (Warranty Performance Complaints)**

- 1. 12-0248 CAF - Charles Buerger v. Mercedes-Benz USA LLC**
Order of Dismissal
Complainant failed to move forward
 - 2. 13-0067 CAF - May G. Torregosa v. Volkswagen Group of America Inc.**
Order of Dismissal
Complainant failed to move forward
 - 3. 13-0106 CAF - Angela M. Decker v. Chrysler Group LLC**
Settlement Order
Complainant accepted a cash settlement
 - 4. 13-0138 CAF - Breanna Lewis and James Lewis v. Chrysler Group LLC**
Settlement Order
The parties have settled
 - 5. 13-0156 CAF - Rokeshia Holmes v. American Honda Motor Co., Inc.**
Settlement Order
The vehicle is repaired
 - 6. 13-0182 CAF - Northeast Texas Premier Trucking, LLC v. Navistar, Inc.**
Settlement Order
The vehicle is repaired
 - 7. 13-021 8CAF - Shane Anderson v. American Honda Motor Co., Inc.**
Settlement Order
Complaint has been resolved by trade assist
 - 8. 13-022 1CAF - Rivers Wright and Sylvia Despain v. Ford Motor Company**
Order of Dismissal
Complainant no longer owns the vehicle
 - 9. 13-0234 CAF - Susie Rain v. Volkswagen Group of America Inc.**
Settlement Order
The vehicle has been repaired
- E. Consideration of Franchise Case Dismissal Orders under Occupations Code,
Chapter 2301**
- 1. 13-0011 LIC - Fun Town RV, LP, Applicant v. IHG Holdings, LLC d/b/a RV-Max,**

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Protestant

- 2. 13-0012 LIC - Fun Town RV, LP, Applicant v. IHG Holdings, LLC d/b/a RV-Max, Protestant**

- 3. 13-0013 LIC - County Line Powersports North Corp. d/b/a Team Mancuso PowerSports North, Applicant v. Bucsanyi Family Management Corporation d/b/a Texas Powersports of Pasadena and Sutton Interests, Inc. d/b/a Stubbs 59 Powersports, Protestants**

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Agenda Item 3.A.
Motions for Disposition Based on Default

- 3. A. Consideration of Enforcement Motions for Disposition Based on Default under Occupations Code, Chapter 2301**
- 1. 11-0442 ENF - Shannon Hamilton Fifield, DBA On Trac Motors**
Failure to have business hours posted at the dealer's location: Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43 TAC 215.141(a)(3)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$2,500.00 civil penalty
 - 2. 11-0701 ENF - Jesus Rios / Eric Rios, DBA DFW Cycles**
Failure to provide satisfactory and reasonable evidence of regularly and actively engaged in business as a motor vehicle dealer: Transp Code 503.038(a)(9), 43 TAC 215.141(a)(14)
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)
Defrauded purchaser: Occ Code 2301.651(a)(6)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
Proposed Sanction: \$4,500.00 civil penalty
 - 3. 11-0731 ENF - Hi-End Luxury Motors Inc., DBA Champion Sport Motors**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to have business hours posted at the dealer's location: Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$9,000.00 civil penalty
 - 4. 11-0739 ENF - Ancelmo Benavides Flores, DBA Meta Auto Sales**
Failure to have dealer or a bona fide employee present during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$3,000.00 civil penalty
 - 5. 11-0745 ENF - Ronnie Lee Norris, DBA R & N Auto Sales Don't Walk**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to fulfill written agreement with retail purchaser: Occ Code 2301.651(a)(7)

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Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
Proposed Sanction: \$6,000.00 civil penalty

- 6. 11-1130 ENF - Aya General Remarketing, INC., DBA Buy Direct Motorcars**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Sold or offered to sell motor vehicles without the appropriate license for that type of motor vehicle: Transp Code 503.038(a)(14)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
Proposed Sanction: License is revoked and \$13,000.00 civil penalty
- 7. 11-1270 ENF - Laura Rodriguez, DBA Texas Auto Financial**
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43 TAC 215.141(a)(3)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$8,000.00 civil penalty
- 8. 11-1353 ENF - Areej Al-Khazali Beagle, DBA Auto Land USA**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$6,000.00 civil penalty
- 9. 12-0398 ENF - Dhurba & Sakuntala Incorporated, DBA Laxmi Auto**
Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$5,500.00 civil penalty
- 10. 12-0701 ENF - Maury's Motors Inc., DBA Midpoint Auto Group**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)
Proposed Sanction: \$2,000.00 civil penalty

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- 11. 12-1302 ENF - Arturo L. Garcia Jr., DBA Garcia's Auto Sales**
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)
Proposed Sanction: \$2,000.00 civil penalty
- 12. 13-0096 ENF - Griselda A. Pineyro, DBA Budget Auto Sales**
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$4,000.00 civil penalty
- 13. 13-0292 ENF - Wholesale Equipment of Texas LLC, DBA Wetco Motors**
Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: License revoked and \$6,000.00 civil penalty
- 14. 13-0296 ENF - Hector Frausto, DBA Hector's Auto Sales**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$2,000.00 civil penalty
- 15. 13-0371 ENF - Jehovani Bardales, DBA J B A Cars Sales**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43 TAC 215.141(a)(3)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$3,000.00 civil penalty
- 16. 13-0383 ENF - Juan Jose Chavez, DBA Pronto Car Credit**
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$2,000.00 civil penalty
- 17. 13-0411 ENF - Jackie Dewayne Citelli, DBA Arcadia RV Superstore**
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$2,000.00 civil penalty
- 18. 13-0414 ENF - Georgia Webster, DBA Seagoville Motors**
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and

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503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)
Sold or offered to sell motor vehicles on consecutive Saturday and Sunday:
Transp Code 728.002
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152
Proposed Sanction: \$5,000.00 civil penalty

19. 13-0610 ENF - Maria E. Cavazos, DBA Cavazos Auto Sales

Failure to notify of change of address or telephone number: 43 TAC 215.141(a)(6)
Failure to provide satisfactory and reasonable evidence of regularly and actively engaged in business as a motor vehicle dealer: Transp Code 503.038(a)(9), 43 TAC 215.141(a)(14)
Filed a false title and tax document: Transp Code 503.038(a)(2)
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136
Failure to timely transfer title and pay sales tax: Transp Code 501.0234
Proposed Sanction: \$5,000.00 civil penalty