

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
1511 PONTIAC AVENUE  
BUILDINGS 68-69  
CRANSTON, RI 02920**

<b>IN THE MATTER OF</b>	:	
	:	
<b>JORGE DIAS</b>	:	
<b>D/B/A JORGE DIAS AUTO</b>	:	<b>DBR No. 13AB119</b>
<b>SALES AND REPAIRS</b>	:	
	:	
<b>RESPONDENT.</b>	:	

**CONSENT AGREEMENT**

The Division of Commercial Licensing (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement (“Agreement”) with Jorge Dias d/b/a Jorge Dias Auto Sales and Repairs (“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. Respondent is doing business at 169 Broad Street, Cumberland, Rhode Island 02864 (the “premises”).
2. In or about 1979, the Department issued a full collision automobile body repair shop license (“License”) to Respondent pursuant to R.I. Gen. Laws § 5-38-1 *et seq.*
3. On November 30, 2012 Respondent submitted a renewal application to the Department for the Jan 1, 2013 - Jan 1, 2016 license term; however, the renewal

application was substantially incomplete because satisfactory evidence of fire safety compliance and technician certifications course transcripts were missing.

4. Pursuant to Commercial Licensing Regulation 4 *Motor Vehicle Body Repair*, Section 4(C)(4), auto body repair licenses are conditioned on compliance with all local and state laws/regulations/codes for fire, health, and safety.
5. Failure to submit proof of completion of all required classes taken by a Certified Technician is a violation of Commercial Licensing Regulation 16 *Motor Vehicle Body Repair Technician Certification* (“CLR 16”) which was adopted pursuant to R.I. Gen. Laws § 5-38-5(4).
6. Based on the above, the renewal application was not “sufficient” within the meaning of R.I. Gen. Laws § 42-35-14(b).
7. R.I. Gen. Laws § 5-38-4 provides that “[n]o person, firm, or corporation shall engage within this state in the business of auto body repairing or painting or enter into contracts for the repairing, replacing, or painting of auto bodies or parts of auto bodies or advertise or represent in any form or manner that he, she, or it is an auto body shop unless that person, firm, or corporation possesses a license *in full force and effect* from the department of business regulation specifying that person, firm, or corporation as licensed to operate or conduct an auto body shop.”
8. The Respondent has subsequently submitted a fire approval letter as well as documentation of taking classes required for technician certification.
9. In order to resolve this matter without an evidentiary hearing, the Division agrees to grant the renewal of the License upon Respondent’s payment of an administrative penalty of \$ 75.

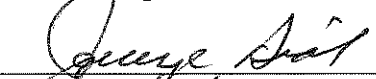
10. Respondent shall achieve full compliance with CLR 16 ninety (90) days from the date that this Agreement is executed. The Respondent understands that failure to achieve full compliance within 90 days may result in suspension, revocation, or other disciplinary action, without a hearing. If the Respondent cannot fulfill the course requirements due to the non-availability of the required courses and through no fault of his own, the Division may extend the time to comply.
11. Respondent voluntarily waives any right to an administrative hearing and appeal to Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*
12. If Respondent fails to abide by the requirements of this Consent Agreement, the Department may initiate further administrative proceedings against the Respondent.

For the Division:

  
Date: 1/16/14

Maria D'Alessandro, Esq.  
Deputy Director, Securities, Commercial  
Licensing and Racing and Athletics  
Department of Business Regulation

For the Respondents:

  
Date: 12/31/13

Mr. Jorge Dias  
Jorge Dias Auto Sales and Repairs  
169 Broad Street  
Cumberland, RI 02864