

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
JOHN O. PASTORE COMPLEX  
1511 PONTIAC AVENUE  
CRANSTON, RI 02920

DBR No.: 09-L-0093

IN THE MATTER OF:  
Delgado's Auto Body, Inc., Ramiro  
Delgado, and John Alves  
Respondent.

The above-entitled matter came on for pre-hearing conference on May 12, 2009 pursuant to the Department of Business Regulation's ("Department") Order to Show Cause and Notice of Hearing ("Notice") issued by the Department on April 21, 2009 to the above captioned Respondents ("Respondents").

At the pre-hearing conference, the parties agreed to the following permanent orders being entered:

1. A permanent cease and desist order is entered against the Respondents in that the Respondents shall cease and desist from engaging in any unlicensed auto body repair work as defined in R.I. Gen. Laws § 5-38-1 *et seq.*

2. The Respondents shall transfer any unregistered vehicles to a licensed auto body repair shop.

3. The Respondents may only perform the type of auto body work contained in the exemption in R.I. Gen. Laws § 5-38-20.

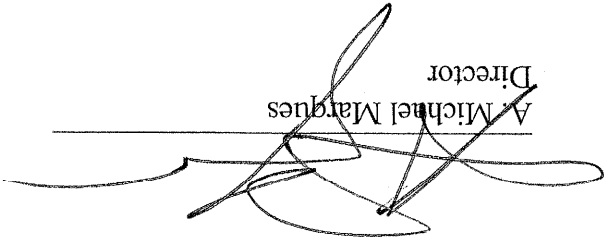
<sup>1</sup> R.I. Gen. Laws § 5-38-20 states as follows:  
Persons exempt. - This chapter does not prohibit the registered owner of any motor vehicle, or any person related by blood or marriage to that registered owner, from performing

any type of work usually performed in an auto body shop, upon the vehicle that is registered in his or her own name; provided, that the work is done personally by the registered owner or that relative, and he or she neither employs nor compensates any person, monetarily or otherwise, to aid and assist in that work.

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

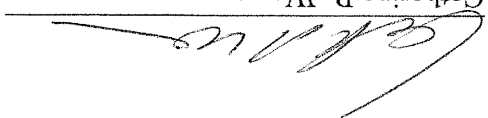
NOTICE OF APPELLATE RIGHTS

Entered as an Administrative Order No.: 09-127 this 19<sup>th</sup> day of May, 2009.

  
A. Michael Marques  
Director

Date: 05-19-2009

I have read the Hearing Officer's recommendation and I hereby ADOPT/REJECT the recommendation of the Hearing Officer in the above-entitled Permanent Cease and Desist Order.

  
Catherine R. Warren  
Hearing Officer

Date: May 19, 2009

As recommended by:

the Department to the Office of the Attorney General.

4. Any violation of this permanent cease and desist order shall be referred by

**CERTIFICATION**

I hereby certify that on this 19<sup>th</sup> day of May, 2009, that a copy of the within Order was sent by first class mail, postage prepaid to –

Delgado's Auto Sales  
136 Broad Street  
Cumberland, RI 02864

Ramiro Delgado, President  
247 Curran Road  
Cumberland, RI 02864

John Alves, Secretary/Treasurer  
66 Mill Street  
Cumberland, RI 02864

and by hand delivery to –

Nena Sinha Savage, Esquire  
Department of Business Regulation  
Pastore Complex  
1511 Pontiac Avenue  
Cranston, RI

Maria D'Alessandro, Associate Director,  
Department of Business Regulation  
Pastore Complex  
1511 Pontiac Avenue  
Cranston, RI

Thomas Broderick, Chief Public Protection Officer  
Department of Business Regulation  
Pastore Complex  
1511 Pontiac Avenue  
Cranston, RI

Kimberly Precious, Implementation Aide  
Department of Business Regulation  
Pastore Complex  
1511 Pontiac Avenue  
Cranston, RI

*A. B. Blawie*