

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

IN THE MATTER OF:	:	
	:	
ERLIN GUERRERO, SR., D/B/A	:	
SAYLES COLLISION CENTER	:	DBR No. 17AB004
	:	
RESPONDENT.	:	

CONSENT AGREEMENT

It is hereby agreed by and between the Department of Business Regulation (“Department”) and Erlin Guerrero, Sr., d/b/a Sayles Collision Center (“Respondent”), as follows:

1. Respondent’s business is located and currently operating at 103 Sayles Street, Providence, RI 02905.
2. The Department previously issued full collision Motor Vehicle Body License (“License”) No. 505-B to Respondent.
3. Respondent’s License expired on June 12, 2016, as a result of his failure to timely submit a renewal application for the 2016 to 2018 licensing cycle.
4. On June 1, 2017, 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.
5. R.I. Gen. Laws § 5-38-4(b) provides: “No 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.”

6. The Department’s position is that, by failing to renew his License, Respondent operated an unlicensed auto body shop in violation of R.I. Gen. Laws § 5-38-4(b). However, in order to resolve this matter amicably and avoid the time and costs of an administrative hearing, the Department and Respondent hereby agree to the following:

- a. No later than December 1, 2017, Respondent shall:
 - i. Pay an administrative penalty of \$ 500.00 payable to the “General Treasurer, State of Rhode Island”; and
 - ii. Submit all documentation required to renew his License;
- b. Upon satisfaction of 6(a)(i) & (ii) above, the Department will renew Respondent’s License No. 505-B.

7. Respondent acknowledges that, pursuant to R.I. Gen. Laws § 5-38-1 et seq., he is required to timely renew his License every three years by submitting a complete renewal application.

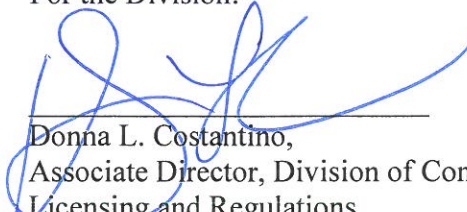
8. By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 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 to 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:



Donna L. Costantino,
Associate Director, Division of Commercial
Licensing and Regulations

Date: 11/21/17

For Respondent:



Erlin Guerrero/Sayles Collision Center
Respondent

Date: 11/21/17

CERTIFICATION

I hereby certify on this 11 day of November 2017, that a copy of the within Agreement was sent by first class mail, postage prepaid, to:

Erlin Guerrero, Sr.
Sayles Collision Center
103 Sayles Street
Providence, RI 02905

AND BY E-MAIL TO:

1. Catherine Warren, Esq., Hearing Officer
2. Maria D'Alessandro, Esq., DBR Deputy Director, Securities, Commercial Licensing, Gaming & Athletics
3. Donna L. Costantino, DBR Associate Director, Division of Commercial Licensing and Regulations
4. John Mancone, DBR Chief Public Protection Inspector
5. Kim Precious, DBR Implementation Aide
6. Amy C. Stewart, Esq., DBR Senior Legal Counsel

