



1. Under the provisions of R.I. Gen. Laws § 42-14.2-1 *et seq.*, Robin Perez was the holder of a license to operate an automobile wrecking and salvage yard (“License”) at 1348 Douglas Pike, Smithfield, R.I., (Lots 47 and 47C on Assessor’s Plat 49)(the “Property”), which expired on June 30, 2009.
2. Robin Perez operated an automobile wrecking and salvage yard on the Property under the name of “Five Star Auto Salvage.”
3. On or about June 23, 2009, the Department received a renewal application from Robin Perez.
4. The Department responded to the renewal application by issuing an Order to Show Cause Why Licensing Application Should Not Be Denied, Notice of Hearing and Appointment of Hearing Officer (“Notice”) on August 19, 2009 based on allegations of the Town of Smithfield (“Town”) that the business for which Robin Perez sought license renewal violated numerous municipal zoning ordinances and certain provisions of R.I. Gen. Laws § 42-14.2-8.
5. In August 2010, Robin Perez was charged in the 6<sup>th</sup> District Court with one count of operation of a chop shop, five counts of possession of stolen motor vehicle or parts, and one count of receiving stolen property (all felonies); his employee Giron Wuidman was charged with felony possession of stolen motor vehicle (collectively the “Charges”). The Charges were initially filed in the 6<sup>th</sup> District Court, but transferred to the Providence County Superior Court, on September 19, 2010.

6. On December 14, 2010, the Department entered a Consent Order (“Order”) whereby Robin Perez agreed to the following conditions in order to renew the License:
  - A. “Pay an administrative penalty of two thousand dollars (\$2000);”
  - B. “Completely fence the perimeter of Lot 47;”
  - C. “Remove all cars and junkyard materials from Lot 47C of the Property as well as all abutting lots, including Lots 46 and 47D;”
  - D. “Maintain the Property in conformance with R.I. Gen. Laws § 42-14.2-1 *et seq.* and all relevant local and municipal requirements;”
  - E. “Provide to the Director of the Department of Business Regulation a written report describing the final adjudication of the Charges.”
7. The charges against Giron Wuidman described in Paragraph 4 above were dismissed.
8. The charges against Robin Perez were disposed of by a plea of nolo contendere on July 18, 2011. On July 19, 2011, Robin Perez agreed to a deferred five (5) year sentence and to pay costs.
9. On July 25, 2012, the Department’s Inspector inspected the Property and found that the operation “has come into compliance regarding the consent order” based on observations that:
  - A. The Property was fenced off as required by the Order. The view was obscured by privacy screening inserts on the Douglas Pike side of the property and by a tree and brush line on the south side. Robin Perez represented to the Inspector that he would install the privacy screening

inserts on the south side as well.

B. Junk vehicles were removed from the area in question which was overgrown with brush.

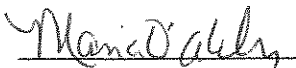
10. On September 21, 2012, Respondent Five Star Auto Salvage, Inc. was incorporated.
11. Respondent Vilma Perez is the sole shareholder of Respondent Five Star Auto Salvage, Inc.
12. Respondent Vilma Perez has made representations to the Department that Robin Perez does not hold any ownership interest in Respondent Five Star Auto Salvage, Inc. and is not involved in the day-to-day operations of the business. This is documented by a statement, under oath, subscribed and sworn before a duly authorized Notary Public.
13. By signing this Agreement, Respondents acknowledge and understand that should Respondents violate the terms of this Consent Agreement and/or engage in any other administratively, criminally, or civilly sanctionable conduct, the Department retains full authority under R.I. Gen. Laws § 12-14.2-9 to revoke, suspend, fine, or refuse to renew the License, after notice and opportunity for hearing.
14. By signing this Agreement, Respondent further acknowledges and understands that it voluntarily waives any right to an administrative hearing or appeal to Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*

### **III.**

Based on the foregoing, it is further agreed that the application to renew the License shall be granted by issuing a conditional License to the Respondents. In addition to all state and local rules and regulations generally applicable to licensees, the following special conditions shall apply to the License:

1. Before the renewal shall become effective, the Respondents shall pay a renewal fee of seven hundred fifty dollars (\$750) and comply with all of the Division's standard requirements for the processing of renewal applications.
2. Within fifteen (15) days of the execution of this Agreement, Respondents shall pay an administrative penalty of two thousand dollars (\$2,000) to the Department in accordance with Paragraph 17 (A) of the Order.
3. Respondents are strictly prohibited from allowing Robin Perez to: obtain any ownership interest in Respondent Five Star Auto Salvage, Inc.; serve as an officer, director, employee, or independent contractor thereof; otherwise participate in the day-to-day operations of the Respondent Five Star Auto Salvage, Inc. in any manner.
4. The portion of the Property on which the business of Respondent Five Star Auto Salvage, Inc. is operating shall be subject to random and unannounced inspections by the Department and shall fully cooperate with inspection officials.

For the Department:



Maria D'Alessandro  
Associate Director of Commercial

For the Respondents:



Vilma Perez  
Five Star Auto Salvage, Inc.

Licensing and Regulation  
Department of Business Regulation  
Date: 5/31/13

1348 Douglas Pike  
Smithfield, R.I.  
Date: 5/31/13