

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

IN THE MATTER OF:

**J. UBLIN'S COLLISION SERVICE
CENTER, INC. and JOSEPH UBLIN**

RESPONDENTS.

DBR No. 13AB090

CONSENT AGREEMENT

The Division of Commercial Licensing ("Division") of the Rhode Island Department of Business Regulation ("Department") enters into this Consent Agreement ("Agreement") with Joseph Ublin ("Mr. Ublin") and J. Ublin's Collision Service Center, Inc. ("J. Ublin's") (collectively "Respondents") 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 Respondents that:

1. Respondent J. Ublin's is a business located at 30 Oakdale Avenue, Johnston RI, 02919.
2. Mr. Ublin is the sole officer and director of J. Ublin's.
3. In 1986, the Division issued a full collision automobile body repair shop license ("License") to J. Ublin's pursuant to R.I. Gen. Laws § 5-38-1 *et. seq.*
4. The renewal application for the current License term was due December 31, 2012.
5. Respondents submitted a renewal application to the Division on December 31, 2012.

However, said application was substantially incomplete because evidence of fire safety approval was missing.

6. On or about January 16, 2013, the Division sent a letter to Respondents indicating that the renewal application was deficient, stating “As of the date of this letter, Evidence of Fire Safety Approval has not been received.”
7. On or about July 18, 2013, the Division, through its legal counsel, sent a letter to Respondents indicating that the information was still missing and that formal proceedings would be instituted if not submitted by August 9, 2013.
8. Mr. Ulbin contacted the Division’s legal counsel and indicated that a fire safety inspection was scheduled for September 10, 2013.
9. R.I. Gen. Laws § 5-38-7 sets a maximum three year term on the License. A *timely* and *complete* renewal application must be submitted by December 31 of the end of each term.
10. Failure to submit a fire safety approval letter is a violation of Commercial Licensing Regulation 4 *Motor Vehicle Body Repair*, Section 4(C)(4).
11. Based on the above, the renewal application was not “timely and sufficient” within the meaning of R.I. Gen. Laws § 42-35-14(b).
12. Respondent agrees to cease and desist from performing automobile body repair work until such time as a complete renewal application is submitted and approved by the Department.
13. The Division agrees that upon submission of the fire safety approval letter and any and all other items necessary for the processing of the renewal application, the License will be granted.
14. Respondents understand that, if the License is successfully renewed for the current term, the next renewal application would be due December 31, 2015. Failure to file a timely

and complete renewal application by that date may result in the Division initiating formal action to revoke Respondents' privilege to perform automobile body repair work.

15. By signing this Agreement, Respondents voluntarily waive 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.*
16. 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 to refuse to issue an automobile body repair license, or, if granted, to revoke, suspend, fine, or refuse to renew the license, after notice and opportunity for hearing.

For the Division:


Date: 8/20/13

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

For the Respondents:


Date: 8/20/13

Joseph Ublin
J Ublin's Collision Center
30 Oakdale Avenue
Johnston RI, 02919