

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
DIVISION OF COMMERCIAL LICENSING AND RACING AND ATHLETICS  
JOHN O. PASTORE CENTER  
1511 PONTIAC AVENUE – BUILDING 69-1  
CRANSTON, RHODE ISLAND 02920-0942

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IN THE MATTER OF:

THOMAS CABRAL AND  
JAMES CALDARONE D/B/A  
SHADY'S AUTOMOTIVE & HOT RODS  
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CONSENT AGREEMENT

I.

The Commercial Licensing and Racing and Athletics Division (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement (“Agreement”) to resolve concerns that R.I. Gen. Laws §§ 5-38-1 *et seq.*, Automobile Body Repair Shops, and Commercial Licensing Regulation 4- Motor Vehicle Body Repair (“Regulation 4”) may have been violated by Thomas Cabral (“Cabral”) and James Caldarone (“Caldarone”). The Division has determined to resolve this matter, after investigation but without instituting administrative proceedings, by entering into this Agreement.

II.

It is hereby agreed by and between the Division and Cabral and Caldarone that:

1. Cabral and Caldarone are not currently licensed in Rhode Island as an Automobile Body Shop (hereinafter referred as “auto body shop”) pursuant to R.I.Gen. Laws §§ 5-38-1 *et seq.*

Regulation 4. Respondents have a square footage of eighteen hundred (1,800) square feet.

9. Fire Safety Code Compliance with the fire code was granted by the Hope Valley-Wyoming Fire District with the following restriction: "No paint booth and/or painting are approved for said facility." The Hope Valley-Wyoming Fire District has confirmed there are no issues with the square footage and/or fire safety provided that there is no painting on the premises.
10. Based upon the written request from Cabral and Caldarone for a waiver from the minimum space requirement and the letter from the Hope Valley-Wyoming Fire Department, the Department finds that there will be minimal and/or nor adverse impact to the public in granting a waiver from the minimum space requirements.

### III.

Based on the foregoing, the Division finds that the following is in the public interest and consistent with the purposes intended by R.I. Gen. Laws §§ 5-38-1 *et seq.* and Regulation 4.

Accordingly, it is hereby further agreed that:

1. Cabral and Caldarone shall read and immediately undertake to comply fully with R.I. Gen. Laws §§ 5-38-1 *et seq.*, and all Regulations promulgated thereunder.
2. Cabral and Caldarone shall only perform automobile body work as described under the license classification designated herein.

3. Cabral and Calderone shall not paint at 47 Stilson Road, Unit 4, Richmond, Rhode Island.
4. Cabral and Calderone shall upon signing this Agreement, pay an administrative assessment in the amount of Five Hundred dollars (\$500.00) to the Department, which may be paid in Five (5) payments of One Hundred dollars (\$100.00) monthly for Five (5) consecutive months, the first payment due upon execution of this agreement.
5. Pay the Licensing fee of One hundred fifty dollars (\$150.00).
6. The application submitted for Special Use License, is complete, and shall be approved upon execution of this agreement.

Dated as of the 1st day of July, 2009.

Maria L. D'Alessandro  
Maria L. D'Alessandro, Associate Director  
of Commercial Licensing and Racing and Athletics

Thomas Cabral  
Thomas Cabral

James Calderone  
James Calderone

On this 1st day of July, 2009 appeared before me  
James Calderone  
Thomas Cabral who executed the foregoing Consent Agreement and

who duly acknowledged to me that he was authorized to do so.

Alicia M. Fields  
NOTARY PUBLIC  
My Commission Expires 3/26/2013

CONSENT AGREEMENT- CABRAL/CALDARONE  
KAP