

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDGS 68-69
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF: _____ :
 :
JONATHAN AGUDELO : **DBR No.: 15UP001**
d/b/a JONATHAN MATTRESS :
 :
RESPONDENT. _____ :

CONSENT AGREEMENT

The Division of Commercial Licensing (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement with Jonathan Agudelo (“Respondent”) 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 Respondent that:

1. Respondent operates a business located at 374 Smithfield Avenue, Pawtucket, Rhode Island (the “Premises”).
2. On September 29, 2015, the Department received a Complaint stating that the Complainant purchased a mattress from the Premises, that the mattress was not in its original packaging, and that the mattress had bed bugs.
3. On October 7, 2015, the Department’s Chief Public Protection Inspector (“Inspector”) inspected the Premises. The Inspector observed what appeared to be a used mattress on the showroom floor. The Respondent admitted to the Inspector that he sells used mattresses.

4. R.I. Gen. Laws § 23-26-30 provides: “No person shall be engaged... (5) as a retailer of second-hand articles of bedding, unless he or she has obtained the appropriate numbered license therefor from the director, who is hereby empowered to issue the license.”
5. R.I. Gen. Laws § 23-26-12 provides: “Every person, firm, or corporation desiring to operate the sterilization process shall first obtain a numbered permit from the director and shall not operate the process unless the permit is kept conspicuously posted in the establishment.”
6. The Respondent did not hold a second-hand license or sterilization permit as of the date of the Complaint.
7. In order to resolve this matter without a hearing, the Respondent agrees to:
 - A. Become duly licensed by satisfying all applicable licensing requirements and paying all applicable licensing fees;
 - B. Pay restitution to the Complainant in the amount of \$250.00 payable immediately upon execution of this Agreement; and
 - C. Pay an administrative penalty of \$250 payable 30 days from the date of execution of this Agreement.
8. Respondent voluntarily waives any right to an administrative hearing and appeal to Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*
9. If Respondent fails to abide by the requirements of this Consent Agreement, the Department may initiate further administrative proceedings against the Respondent.

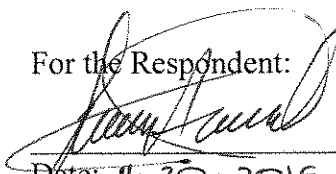
SIGNATURES ON NEXT PAGE

For the Division:


Date: 12/1/15

Maria D'Alessandro, Esq.
Deputy Director, Securities, Commercial
Licensing and Racing and Athletics

For the Respondent:


Date: 11-30-2015

Jonathan Agudelo
Jonathan Mattress