

**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:

**Automed Auto Sales Inc. d.b.a.
Village Collision Center, and
John E. Deware, Jr.**

DBR No. 19-AB-016

Respondents.

INTERIM CONSENT AGREEMENT

The Commercial Licensing Division (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Interim Consent Agreement (“Agreement”) with Village Collision Center and John E. Deware, Jr. (collectively “Respondents”) with regard to the above captioned matter pertaining to the Auto Body shop located at: 15 Aster Street, West Warwick, RI, 02893 (the “Property”). The Respondents hold an expired Class B (“AB-B”) License AB.0000307-B (the “License”) issued by the Department in accordance with R.I. Gen. Laws § 5-38-1 *et seq.*, and Commercial Licensing Regulation 230-RICR-30-05-2, Motor Vehicle Body and Salvage Vehicle Repair.

It is hereby agreed by and between the Department and the Respondent as follows:

1. Respondents hold a Class B License to operate at the Property, which expired on December 31, 2018.

2. After numerous attempts by the Division to notify Respondents of the expired License, Respondents agreed to and attended a meeting on November 7, 2019, at the Department.
3. 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.”
4. The Division's position is that, by failing to renew the License, Respondents operated an unlicensed auto body shop in violation of R.I. Gen. Laws § 5-38-4(6). However, in order to resolve this matter amicably and avoid the time and costs of an administrative hearing, the Department and Respondents hereby agree to the following:
 - a. Respondents will immediately Cease & Desist all unlawful licensing activities until a license has been obtained by the Department.
 - b. Respondents shall submit the following to the Division in order to obtain said license:
 - i. Copy of an updated fire safety inspection
 - ii. Proof of an up-to-date insurance binder

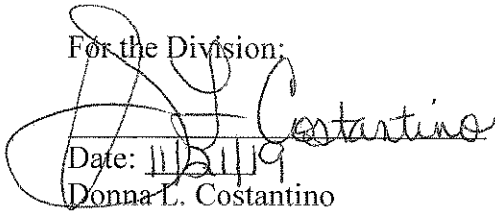
5. Considering that the Respondents provided evidence of mitigating factors and requested a reduction of the administrative penalty in the amount of \$500.00, the Division reviewed said evidence and agreed to an administrative penalty in the amount of \$200.00.
6. Upon Satisfaction of 4(b)(i) and (ii) above, the Division shall renew the license.
7. Respondents acknowledge 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, fee and all required documentation for renewal of said License.
8. By agreeing to resolve this matter through the execution of this Interim Consent Agreement, Respondents knowingly and voluntarily waive any right to an administrative hearing and waive 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 Respondents fail to comply with any term or condition of this Interim Consent Agreement, within the applicable time period set forth herein or as extended by agreement of the parties, Respondents 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 Interim Consent Agreement do not relieve Respondents of any obligation to comply with other applicable laws or

regulations administered by or through the Department or any other governmental agency.

11. This Interim Consent Agreement shall be deemed entered into as of the date of execution by all parties. This Interim Consent Agreement shall be binding upon Respondents' successors.

This Agreement is entered into voluntarily with the understanding that the Agreement is not a final decision appealable to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*

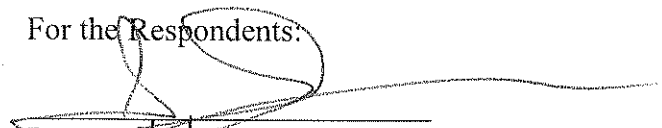
For the Division:



Date: 11/21/19

Donna L. Costantino
Associate Director
Division of Commercial
Licensing & Regulation

For the Respondents:



Date: 11/21/19

John E. Deware, Jr.