

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

IN THE MATTER OF:	:	
	:	
CARLOS RUIZ, D/B/A	:	
SOLUTION AUTO BODY	:	Complaint No. 16AB002
	:	
RESPONDENT.	:	
	:	

CONSENT AGREEMENT

The Commercial Licensing Division (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this consent agreement (“Agreement”) with Carlos Ruiz, d/b/a Solution Auto Body (“Respondent”) to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d).

The Department and Respondent hereby agree to the following:

1. Respondent operates an auto body shop (License No. 902B) licensed by the Department in accordance with R.I. Gen. Laws § 5-38-1 *et seq.*
2. According to the Department’s licensing records, Respondent is the sole owner and operator of Solution Auto Body located at 17 Warren Street, Providence, RI 02907.
3. On May 5, 2016, the Department received a complaint alleging violations of R.I. Gen. Laws §§ 5-38-1 to -31 in connection with Respondent’s performance of auto body repairs on a 2012 Jeep Grand Cherokee (“subject vehicle”) owned by Complainant, without receiving written authorization from the Complainant for such repairs.
4. On February 22, 2017, Respondent executed a mutual release with Complainant in which Respondent agreed to pay restitution to Complainant in the amount of \$3,200.00, and

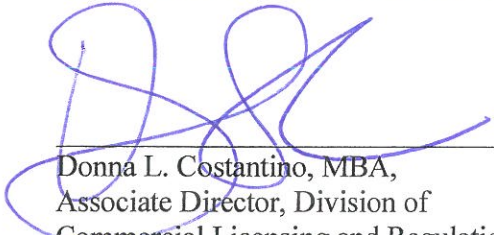
Complainant agreed to release any and all claims pertaining to unauthorized repair work involving the subject vehicle.

5. Other than the allegations set forth in the instant matter, Respondent has had no other disciplinary history as a licensed Auto Body Shop.
6. R.I. Gen. Laws § 5-38-10(5) provides that the Department “may deny an application for license or suspend or revoke a license after it has been granted, for the following reasons,” including, “for dismantling any automobile without the written authorization of the owner of the automobile.”
7. *Commercial Licensing Regulation 4 – Motor Vehicle Body and Salvage Vehicle Repair* (“CLR 4”) § 7(A)(v) provides that Licensees must maintain certain information in its records for each motor vehicle repaired for a two year period, including “written authorization from the consumer to repair the vehicle.”
8. The Department’s position is that, had a hearing been held in this matter, it would have demonstrated that Respondent violated R.I. Gen. Laws § 5-38-10(5) and CLR 4 § 7(A)(v) by failing obtain written authorization from the Complainant prior to performing auto body repairs on the subject vehicle.
9. While Respondent neither admits nor denies committing the violations alleged herein, in order to resolve this matter by agreement and avoid an administrative hearing, Respondent agrees to pay an administrative penalty of \$200.00 payable to the “General Treasurer, State of Rhode Island.”
10. By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent voluntarily waives his right to an administrative hearing or appeal to the Rhode

Island Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*

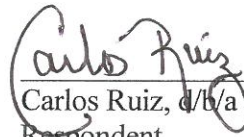
11. If Respondent fails to abide by the requirements of this Consent Agreement, the Department may initiate further administrative proceedings against the Respondent.
12. This Consent Agreement shall be deemed entered into as of the date of execution by all parties. This Consent Agreement shall be binding upon Respondent's successors.

CONSENTED TO AS TO FORM AND SUBSTANCE BY:



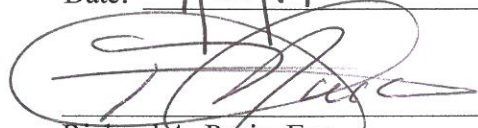
Donna L. Costantino, MBA,
Associate Director, Division of
Commercial Licensing and Regulations
Department of Business Regulation

Date: 8/8/17



Carlos Ruiz, d/b/a Solution Auto Body
Respondent

Date: 7/31/17



Richard A. Paeria, Esq.
Counsel for Respondent

Date: 7/31/17

CERTIFICATION

I hereby certify on this 8 day of August 2017, that a copy of the within Consent Agreement was sent by first class mail, postage prepaid, to:

Richard A. Pacia, Esq.
Joseph J. Voccola & Associates
Attorneys at Law
454 Broadway
North Providence, RI 02909

AND BY E-MAIL TO:

1. Richard A. Pacia, Esq., rpacia@jjvlaw.com
2. Catherine Warren, Esq., Hearing Officer
3. Maria D'Alessandro, DBR Deputy Director, Securities, Commercial Licensing, Gaming & Athletics
4. Donna L. Costantino, DBR Associate Director, Division of Commercial Licensing and Regulations
5. John Mancone, DBR Chief Public Protection Inspector
6. Kimberly Precious, DBR Implementation Aide
7. Amy Stewart, Esq., DBR Legal Counsel

