

MINUTES OF THE REGULAR MEETING OF THE LOUISIANA USED MOTOR VEHICLE COMMISSION

I. CALL TO ORDER

The Louisiana Used Motor Vehicle Commission convened its monthly Regular Commission Meeting at 9:50AM on Tuesday, August 20, 2024, at Louisiana Used Motor Vehicle Commission, 3132 Valley Creek Drive, Baton Rouge, La. 70808. The meeting was called to order and presided over by Commissioner Jeffery E. Britt.

II. PLEDGE OF ALLEGIANCE

Presiding Commissioner Jeffery Britt led the Pledge of Allegiance

III. ROLL CALL

Louisiana Used Motor Vehicle Commission staff Tonya M Burks took roll call, with a quorum of members present as follows:

Commission Members Present:

Commissioner Jeffery E. Britt
Commissioner Darren P. Amadee
Finance Chairman Travis Brown

Commissioner Rickey Donnell
Commissioner Matt Pederson
Commissioner Wedge L. Kyes

Commission Members Absent:

Chairman Gregory Lala
Commissioner Kevin S. Delahoussaye

LUMVC Staff Present: Derek L Parnell, Executive Director; Tonya M Burks, Administrative Program Manager; Rhonda Robertson, Accountant Supervisor; Montie Wisenor, Compliance Investigator Supervisor; Stacy Gaudin Poche, Compliance Investigator; Perry Sponge, Compliance Investigator; Monroe Allmond, Compliance Investigator

Others Present:

Sheri Morris, Commission Counsel
Robert Hallack, Commission Counsel
Victoria Kelley, House of Representatives Commercial Regulation Attorney
Katheryn Vigrass, House of Representatives Commercial Regulation Legislative Analyst

IV. PUBLIC COMMENTS

There were no public comments.

V. ADOPTION AND APPROVAL OF MINUTES

Minutes from June 15, 2024. With no discussion on the minutes, motion was made to accept the minutes as given by Commissioner Donnell, seconded by Commissioner Pederson, and passed unanimously.

VI. ITEMS FOR DISCUSSION AND ACTION

Financial Matters

1. Presentation of Monthly Financial Reports– June 2024 & July 2024

Rhonda Robertson, Accounting Supervisor presented the financial reports for the months of

June and July 2024 for review by Commission. Ms. Robertson informed the Commissioners all financial matters are in order. There were no questions regarding financial reports reviewed by the Commissioners. Motion was made by Finance Chairman Brown to accept the financial reports as presented, seconded by Commissioner Pederson. With no further discussion, the motion was passed unanimously.

2. Amended FY 2024/2025 Budget

Rhonda Robertson presented the amended operating budget for FY2024/2025. Ms. Robertson informed Commissioners that she had worked close with Roy Hebert, CPA commission contractor to review, make corrections, and update the previously presented Operating Budget for FY2024/2025. There were no questions regarding the Amended Operating Budget for FY2024/2025. Finance Chairman Brown made motion to accept the Amended Operating Budget for FY2024/2025 as presented, seconded by Commissioner Donnell. With no further discussion, the motion passed unanimously.

3. Amended Resolution Adopting Fiscal Year Operating Budget (FY 2024/2025)

Rhonda Robertson presented the Amended Resolution Adopting Fiscal Year Operating Budget for FY 2024/2025 Resolution adopting the fiscal year operating budget for 2024/2025 was presented by Rhonda Robertson. Finance Chairman Brown made motion to accept the Amended Resolution Adopting Fiscal Year Operating Budget (FY 2024/2025) as presented, seconded by Commissioner Donnell. With no further discussion, the motion passed unanimously. Signature by Finance Chairman Brown.

Ratification of Imposed Civil Penalties

Executive Director, Derek Parnell advised the Commissioners that licensees were in violation of state law. These cases have been investigated and it has been determined the public interest can be served without further administrative proceeding and civil penalties were imposed.

- 1. Case No. 2024-84 Authentic Pre-Owned Vehicles, LLC – UD.00246140, 2340 Belle Chase Highway, Suite B, Terry Town, LA 70056.** In violation of R.S. 32:792(B)(8) Non-Delivery of Title (1 count); R.S. 32:792(B)(12) Issuing temporary tags in violation of law (1 Count); R.S. 32:792(B)(14) Repossessing a vehicle in a timely manner (1Count). Violation penalty \$6500.00. Owner Kendrick Wilkerson came into the LUMVC office for a Compliance Meeting whereas he agreed to make payment in three equal payments of \$2166.66. \$5000.00 to go to consumer for restitution leaving the remaining fine amount of \$1500.00 to the Louisiana Used Motor Vehicle Commission. No attempt at payment has been made and Compliance Investigator Stacy Poche' cannot contact Wilkerson. The LUMVC would like to go against the bond for violation payment and restitution for consumer. A hold will be placed on license which will prevent dealer from renewing until fines are paid.
- 2. Case No. 2024-104 Jeffrey Erron Hill dba Jeff's Auto Sales – UD.00245048, 4551 Gus Young Avenue, Baton Rouge, LA 70802.** In violation of R.S. 32:792(B)(9) Failing to submit monthly sales reports (1 Count) R.S. 32:792(B)(13) Failing to maintain records (3 Counts). Violation penalty \$1400.00. Violation penalty paid in full.
- 3. Case No. 2024-104 Conrad's Auto Sales, LLC – UD.00243591, 10200 Greenwell Springs Road, Baton Rouge, LA 70814.** In violation of R.S. 32:792(B)(8) Non-Delivery of Title (1 Count); R.S. 32:792(B)(9) Failing to submit monthly sales reports (7 Counts); R.S. 32:792(B)(13) Failing to maintain records (1Count). Violation penalty \$2200.00. Owner Darrel Conrad came into LUMVC office for a Compliance meeting whereas he agreed to make payment in three payments, (\$750.00, \$750.00, \$700.00). Mr. Conrad has made first payment at this time.

Executive Director Derek Parnell advised that the total amount of Civil Penalties is \$10,100.00 and further asked that Commissioners ratify the Imposed Civil Penalties and Restitution of \$10,100.00.

VII. **ENFORCEMENT REPORT:** Compliance Investigator Supervisor Wisenor advised the Commission of Enforcement Department progress. In June 2024 there were 6 Audits conducted, 1 Notice of Revocation issued, 72 Site Visits conducted, 1 Cease and Desist Order issued, Assisted Title & Registration for Consumer, 5 Violations written, 2 Refunds to Consumer, \$1460.32 Refunds to Consumer, 22 Cases Closed/Assigned, 24 Cases Closed/Non-Assigned, 11 Physical Inspections completed. In July 2024 there were 7 Audits Conducted, 1 Notice of Revocation issued, 71 Site Visits conducted, 2 Cease & Desist issued, 24 Assisted Titles & Registration for Consumer, 0 Violations written, 2 Refunds for Consumer, \$31,759.80 Refunds to Consumer, 22 Cases Closed/Assigned, 33 Cases Closed/Non-Assigned, 14 Physical Inspections completed.

VIII. **EXECUTIVE DIRECTOR'S REPORT:** Executive Director Parnell advised the Commission that staff are getting prepared for renewal period. Meetings were held with the licensing program to ensure licensing program is operating to optimal standard. Upgrades may need to be made. The website will be updated. Once updated state vehicle purchasing contract is updated the LUMVC will move forward with purchasing a new vehicle and surplus older higher mileage vehicle. Announced retirement of Kimberly Baron who has been with LUMVC for 22yrs. She will return on a part-time WAE basis to assist with transition.

IX. **ITEMS FOR NEXT MEETING**

X. **HEARINGS: Janice Welch, Court Reporter, was present at the Administrative Hearings.**

A. **OSMAN ARSLAN AND SERPIL BRICE AND SOBA ENTERPRISES -**
7300 Lakeshore Drive, Apt. 6., New Orleans, Louisiana 70124
Case Number: 2024-174

Commissioner Britt moved to go into executive session for deliberations on the exceptions argued; Commissioner Donnell seconded the motion. Counsel for Respondent consented to deliberations in Executive Session.

ROLL CALL VOTE:

For	Amadee, Britt, Brown, Donnell, Kyes, Pederson
Against	NONE

Commissioner Brown moved to end the Executive Session and return to Open Session; Commissioner Pederson seconded the motion; without objection the motion was unanimously approved.

Commissioner Britt moved to take the matter under advisement and to continue the Interlocutory Cease and Desist Order until the date of the next hearing.

B. **MARLON ANTOINE, INDIVIDUALLY AND KEITH HODGE, INDIVIDUALLY AND ON BEHALF OF INTEGRITY AUTOMOTIVE GROUP INC.**
9828 line Highway, Baton Rouge, Louisiana 70816
Case Number: 2024-192

Commissioner Britt moved to go into executive session for deliberations, Commissioner Amadee seconded the motion. Respondent consented to deliberations in Executive Session.

ROLL CALL VOTE:

For	Amadee, Britt, Brown, Donnell, Kyes, Pederson
Against	NONE

Commissioner Britt moved to end the Executive Session and return to Open Session, Commissioner Donnell seconded the motion; without objection the motion was unanimously approved.

Commissioner Brown moved to approve the proposed Stipulated Order of a fine of \$30,000 to be paid \$2,000 per month beginning on the date the Order is executed; restitution in favor of Donovan Walker of payment of the loan at Eagle Federal Credit Union as payments become due; and pay all sales taxes due to the Louisiana Department of Revenue within two months; Commissioner Pederson seconded the motion and without objection the motion was approved..

C. DARYL COHEN, INDIVIDUALLY AND BONITA COHEN, INDIVIDUALLY AND ON BEHALF OF LEGENDARY IMPORT GROUP, LLC

10660 Coursey Boulevard, Baton Rouge, Louisiana
Case Number: 2024-227

The matter was continued until the next hearing date, no second continuance.

XI. ADJOURNMENT

The meeting was adjourned at 1:45 p.m.

CERTIFICATE

The undersigned Executive Director to the Louisiana Used Motor Vehicle Commission certified that the foregoing are the true and correct Minutes of the Commission meeting held on the 20th day of August, 2024.


DEREK L PARNELL, Executive Director