

MINUTES OF THE DECEMBER 9, 2024 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 9:30AM on Wednesday, December 9, 2024, at Louisiana Used Motor Vehicle Commission, 3132 Valley Creek Drive, Baton Rouge, La. 70808. The meeting was called to order by Chairman Gregory Lala.

II. PLEDGE OF ALLEGIANCE

Chairman Gregory Lala 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:

Chairman Gregory Lala
Commissioner Darren P. Amadee
Commissioner Jeffery E. Britt

Finance Chairman Travis Brown
Commissioner Rickey Donnell
Commissioner Wedge L. Kyes

Commission Members Absent:

Commissioner Matt Pederson
Commissioner Kevin S. Delahoussaye

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

Others Present:

Jason Bonaventure, Commission Counsel
Robert Hallack, Commission Counsel

IV. PUBLIC COMMENTS

There were no public comments

V. ADOPTION AND APPROVAL OF REGULAR MEETING MINUTES – October 2024

Minutes from October 23, 2024. Commissioner Donnell moved to accept minutes as presented. Commissioner Amade seconded the motion, and without objection the minutes were approved.

VI. ITEMS FOR DISCUSSION AND ACTION

A. Financial Matters

Chairman Lala moved to amend the agenda, to defer under Items for Discussion, Financial Matters, Review of Financial Report to a future date. Commissioner Brown seconded the motion and without objection the items were deferred.

- B. Consideration of the Louisiana Department of Justice OCCUPATIONAL LICENSING REVIEW PROGRAM (OLRP) Notice of Open Enrollment and Board Participation Decision.

Director Parnell informed the Commission of open enrollment of the Occupational Licensing Review Program (OLRP) effective January 1, 2025. On motions duly made, seconded, and unanimously passed, the Commission granted authority to the Chairman and the Executive Director to determine participation of the Occupational Licensing Review Program.

- C. 2025 LUMVC Commission Meeting Dates

Director Parnell requested the Commission to set dates for the remainder of the year 2025 for Commission Meetings. This matter will be discussed at a later scheduled meeting.

VII. **ENFORCEMENT REPORT:**

Montie Wisenor, Compliance Investigator Supervisor, presented the Enforcement Report for Compliance Investigation to the Commission. In October 2024 there were 7 Audits Conducted, 2 Notice of Revocation issued, 94 Site Visits conducted, 0 Cease & Desist issued, 20 Assisted Titles & Registration for Consumer, 2 Violations written, 1 Refunds for Consumer, \$400.00 Refunds to Consumer, 50 Cases Closed/Assigned, 25 Cases Closed/Non-Assigned, 24 Physical Inspections completed. In November 2024 there were 6 Audits conducted, 1 Notice of Revocation issued, 76 Site Visits conducted, 0 Cease and Desist Order issued, 16 Assisted Title & Registration for Consumer, 3 Violations written, 2 Refunds to Consumer, \$862.12 Refunds to Consumer, 18 Cases Closed/Assigned, 23 Cases Closed/Non-Assigned, 16 Physical Inspections completed.

VIII. **EXECUTIVE DIRECTOR'S REPORT:**

Director Parnell informed the Commission that every year our agency is required by law to submit our annual financial reports to the Louisiana Legislative Auditor (LLA) on or before December 31, 2024. The Independent Certified Public Accountant Firm from the approved list by LLA to perform our audit is TWRU CPA's and Financial Advisors. Director Parnell further informed the Commission that after discussion Boards and Commissions Deputy Director, Sherry Lassere, suggested the Commission submit 2 or 3 names from each vacant public service district to assist them with selections.

- IX. **ADMINISTRATIVE HEARINGS:** Janice Welch, Court reporter, was present for the Official Record of proceedings.

1. **OSMAN ARSLAN and SERBIL BRICE individually and on behalf of SOBA ENTERPRISES, LLC**

7300 Lakeshore Drive, Apt. 6 / Unit E., New Orleans, Louisiana 70124
Case Number: 2024-174

Prior to the Administrative Hearing, the Commission heard arguments on the Respondents' Declinatory Exception of Lack of Subject Matter Jurisdiction and in the Alternative, Peremptory Exception of No Cause of Action. By unanimous vote of the Commission, the exceptions were overruled.

Upon conclusion of the Administrative Hearing, Chairman Lala moved to go into executive session for deliberations, Commissioner Brown seconded the motion. Respondent objected

to the deliberations being conducted in Executive Session; therefore, the deliberations proceeded in the open meeting.

Chairman Lala moved to find Respondents conducted the business of a used motor vehicle dealer by providing daily rentals of used motor vehicles without a license in violation of La. R.S. 32:786(B)(2) after the issuance of an interlocutory cease and desist order and to issue an order and assessing a fine of \$100,000.00 (\$2,000.00 for each day up to 50 days from the date of the issuance of the interlocutory cease and desist order). Commissioner Britt seconded the motion; without objection, the motion was unanimously approved.

2. BRYANT LEDET and ALFRED LEDET individually and on behalf of UP FRONT AUTO SALES; BRYANT LEDET individually and D/B/A ANYTIME AUTO SALE
237 Belmont Drive, Opelousas, Louisiana 70570
Case Numbers: 2022-37 & 2024-402

Upon conclusion of the Administrative Hearing, Chairman Lala moved to go into executive session for deliberations, Commissioner Brown seconded the motion. Respondent consented to deliberations in Executive Session.

ROLL CALL VOTE ON MOTION TO ENTER EXECUTIVE SESSION:

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

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

Chairman Lala moved to affirm the decision of the Commission finding BRYANT LEDET, and ALFRED LEDET, both individually and on behalf of UP FRONT AUTO SALES violated:

- La. R.S. 32:792(B)(5) by employing unlicensed salespersons or other unlicensed persons in connection with the sale of used motor vehicles. (3 counts); La. R.S. 32:792(B) (6) not operating from the address shown on UP FRONT's license, (3 counts);
- La. R.S. 32:792(B) (8) by failing to deliver any certificate of title to a consumer within the time limitations prescribed in R.S. 32:705. (2 counts);
- La. R.S. 32:792(B) (9) by failing to submit any monthly sales report to Motor Vehicle Audit by the twentieth day of the following month. (1 count); and
- La. R.S. 32:792(B)(13) by failing to maintain records for a period of up to three years. (275 counts)

and assessing a fine of \$2,000 per count for La. R.S. 32:792(B)(13), waiving the fines for the violations of La. R.S. 32:792(B)(5), (6),(8), and (9), suspending the fine for violating La. R.S. 32:792(B)(13) except for \$50,000.00, while restitution is being paid to consumers in the amount to compensate each for obtaining title to their vehicle with the amount of the restitution paid to be from credited toward the

fine assessed. Commissioner Donnell seconded the motion and without objection the motion was approved.

Chairman Lala moved to affirm the decision of the Commission finding BRYANT LEDET, individually and D/B/A ANYTIME AUTO SALE, violated La. R.S. 32:792(B)(13) by failing to maintain records for a period of up to three years (288 counts); assessing a fine of \$2,000 per count totaling \$576,000 and to reduce the fine to 10% of the total assessed or \$57,600.00 plus court costs, to suspend Respondent's Dealer and salesperson license until payment has been made and to require Respondent attend a Louisiana Used Motor Vehicle Commission's Dealer Education Training Seminar. The motion was seconded by Commissioner Donnell and without objection was unanimously approved.

3. **ALEX WILLIAMS and RAYMOND B. WILLIAMS, individually and on behalf of AWS AUTO SALES**

1402 Corporate Square Drive, Slidell, Louisiana 70458
Case Number:2024-346

Item was deferred, to be heard on a later date.

X. **ITEMS FOR THE NEXT MEETING**

No items requested

XI. **ADJOURNMENT**

The meeting was adjourned at 2:35 p.m.

CERTIFICATE

The undersigned Executive Director to the Louisiana Used Motor Vehicle Commission certified that the foregoing is the true and correct Minutes of the Commission meeting held on the 9th day of December 2024.

Derek L Parnell, Executive Director