



THE COMMONWEALTH OF MASSACHUSETTS
AUTO DAMAGE APPRAISER LICENSING BOARD

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DEVAL L. PATRICK
GOVERNOR

GILBERT W. COX, JR.
CHAIRMAN

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

DAVID E. KRUPA
JOSEPH COYNE
JOSEPH A. VALARIOTI

Minutes of Meeting

**Auto Damage Appraisers Licensing Board – October 24, 2007
Marlboro, MA**

Members Present:

Gilbert W. Cox, Jr., Chairman, Law Offices of Gilbert W. Cox
Joe Valarioti, Central Auto Rebuilders
David Krupa, Safety Insurance Company
Robert Kelly, Attorney
Yvonne Torres, Secretary

Others in Attendance

Frank DeSario, Safety
Peter Langone, Langone Auto Body
Randel Chlile, Auto Craft Sales
Bill McDonough, Damage Report
Tom Ricci, Body & Paint / CMARA
Carl Garcia, Carl's Collision Center
Dana Snowdale, D&S Auto Works
Wayne Clark, Cape Auto Body
Jenn Thompson, Progressive
Matthew Jayne, IAA / ADESA Impact
Kevin M. McCarron, Arbella
Cliff Hilton, USAA
Chris Burkhardt, Liberty Mutual
Lory Tarrow, AG's Office
Mike Dinsmore, CIC
Ed Jankowski, CIC
Chris King, CIC
John Joyce, CIC
Cynthia Reilly, ComSearch
Sue Conena, Commerce Insurance
Peter McCue, Finnegan, Underwood
Paul Semenkow, Peerless Insurance
Tom Wright, NGM
Scott, Norfolk & Dedham

Proceedings recorded by:

John Joyce, Commerce (Audio/Video)
Thomas Colo, Advanced Auto Body (Audio/Video)

Review of Minutes

Valarioti moved to accept minutes of 9/26/07 as written. Seconded by Krupa. Chairman voted in the affirmative. Passed 3-0

Report on Licenses

Ms. Torres reported: **5,138** Active Licenses; **262** Pending Renewal; **14** new applications;
4 Part I retakes; **31** individuals on waiting list for the next Part II

New Business

Motion by Valarioti and seconded by Krupa that Ms. Torres send a letter to the Governor's office requesting a new appointment to the Board to represent the auto repair industry. Passed 3-0.

Peter McCue, Esq. – Correspondence dated 8/13/07 and 7/23/07 - At their last meeting on 9/26/07 the Board requested of Atty. Kelly to render legal opinion on new paint & material regulation. Attorney Kelly stated that the Division of Insurance is not going to offer a written interpretation. The Board therefore, decided to proceed with the complaints listed below relating to paint and materials.

Motion by Valarioti requesting that all incoming mail addressed to the Board relating to complaints be forwarded to Mrs. Torres desk for distribution. Seconded by Krupa. Passed 2-0.

New Complaints

Complaint filed by Magri's Auto Body against Poplaski and Commerce; Insured: Cynthia Dumas;
Motion by Valarioti to move the above mentioned complaint on to Step 2. Seconded by Krupa.
Chairman voted in the affirmative. Passed 3-0.

Motion by Krupa to review only 1 paint and material complaint and to postpone action for the other seven complaints to next meeting. Motion not seconded.

Complaint filed by Magri's Auto Body against Poplaski and Commerce; Insured: Richard Powers;
Motion by Valarioti to move to Step 2. Seconded by Gil Cox. Passed 2-1. Krupa against.

Complaint filed by Magri's Auto Body against Poplaski and Commerce; Insured: Timothy Carroll;
Motion by Valarioti to move to Step 2. Seconded by Gil Cox. Passed 2-1. Krupa against.

Complaint filed by Magri's Auto Body against Poplaski and Commerce; Insured: Ja Kim Kyoung;
Motion by Valarioti to move to Step 2. Seconded by Gil Cox. Passed 2-1. Krupa against.

Complaint filed by Magri's Auto Body against Poplaski and Commerce; Insured: Tameka Hodges;
Motion by Valarioti to move to Step 2. Seconded by Gil Cox. Passed 2-1. Krupa against.

Complaint filed by Magri's Auto Body against Poplaski and Commerce; Insured: Alphonse J. Jiter;
Motion by Valarioti to move to Step 2. Seconded by Gil Cox. Passed 2-1. Krupa against.

Complaint filed by Magri's Auto Body against Poplaski and Commerce; Insured: Karen Covell;
Motion by Valarioti to move to Step 2. Seconded by Gil Cox. Passed 2-1. Krupa against.

Complaint filed by Magri's Auto Body against Omasta and Commerce; Insured: Judith Clark;
Motion by Valarioti to move to Step 2. Seconded by Gil Cox. Passed 2-1. Krupa against.

Complaint filed by Amando Gallo (Insured). Valarioti moves that the Board send letter to insured requesting clarification of the complaint and who it is against. Seconded by Krupa. Passed 3-0

Complaint filed by Mass Motors Inc. Motion by Valarioti to move to Step 2. Krupa seconded. Passed 3-0.

Complaint filed by B&D Auto Body against Brian Smith. Motion by Valarioti to move to Step 2. Krupa seconded. Passed 3-0

Complaint filed by B&D Auto Body against Angelo Mingolla. Motion by Valarioti to move to Step 2. Seconded by Krupa. Passed 3-0.

Complaint filed by B&D Auto Body against Scott Adie. Motion by Valarioti to move to Step 2. Seconded by Krupa. Passed 3-0.

Pending Complaints

2004-09 – Legere v. Chicos, Correia (Liberty)

2005-37 – Betley v. Capazzoli

Licensing Subcommittee Discussion

Sue Conena reported that David Krupa intends to contact Thomson Prometric re: administering the subcommittee's licensing examination and also to change the questions on part 1 of the exam. Mr. Krupa will report back at the next meeting on November 28, 2007. Due to the board's non-approval of dismissing Part 2, Ms. Conena mentioned that the subcommittee may need to revisit that portion of the proposed revision of the application. The subcommittee did not schedule any future meetings until action is taken with Thomson Prometric. Last, Peter Smith was appointed to the subcommittee.

New Licensing Procedures and Effective Date

Postponed discussion to next meeting

Expedited Supplemental Appraisal Process

Mr. Kelly reported that he is awaiting further comments from the Division of Insurance.

Other Discussions

Valarioti requested that the current complaint form be revised. He requested that this topic be added to the next agenda.

Krupa moved to adjourn. Seconded by Cox. Passed 3-0.

Future Meetings: November 28, 2007 & December 19, 2007