



**THE COMMONWEALTH OF MASSACHUSETTS
AUTO DAMAGE APPRAISER LICENSING BOARD**

One South Station, Boston Massachusetts 02110-2208
(617) 521-7453/Fax (617) 521-7475
<http://www.state.ma.us/doi>

Accepted
5/24/06
4-0

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

GILBERT W. COX, JR.
CHAIRMAN

BRUCE S. KING
DONALD R. SPINELLI
STEPHEN R. TAGUE
JOSEPH A. VALARIOTI

Minutes of Meeting

**Auto Damage Appraisers Licensing Board – April 12, 2006
Marlboro, MA**

Members Present:

Gilbert W. Cox, Jr., Chairman
Bruce S. King
Donald R. Spinelli
Joe S. Valarioti

Law Offices of Gilbert W. Cox
King Collision
MetLife
Central Auto Rebuilders

Richard Cody
Yvonne Torres

Counsel to the Board
Secretary

Proceedings recorded by:

Jim Bates of Commerce Ins. Co. (Audio/Video)
Yvonne Torres, Board Secretary (Audio)

Approval of Minutes

Spinelli moved to accept minutes of March 27, 2006. Seconded by King.
Passed 3-0

Report on licenses

5,250 licenses; 182 licenses pending renewal

234 applications pending Part I results

7 temporary licenses – (All attended the Part II exam on 3/15/06)

5 new applications received; 0 retakes for Part I; 19 people on waiting list for Part II

Motion by Bruce King moved to extend all temporary licenses until May 1st.
Seconded by Spinelli. Passed 3-1 vote. Matter disposed.

Step 2 Complaints

2006-04 – Gelberger v. Wiroll - *Note – No response in file. Complaint sent 3/6/06

Valarioti moved to hold an informal at next meeting. Seconded by King.

Valarioti stated that if Mr. Wiroll does not answer to these charges then his license in this state will not be honored. Motion did not carry.

Spinelli moved that Ms. Torres send letter on behalf of the Board demanding that licensee respond to the complaint within two weeks and to attend the next meeting. Failure to do so will result in an informal hearing by the Board at the next meeting on May 24, 2006.

Seconded by Mr. King. Passed 4-0.

Request for Temporary Licenses

Bruce King moved to approve James Kearns' request to assign his license number to his daughter, Tina Kearns. Seconded by Don Spinelli. Passed 3-0

Discussion of Pending Lawsuit

The Board announced that it has decided to postpone any further action on the P&M cases complaints for 60 days. The Board also announced that it is their intent to amend the current regulation to clarify the language with respect to paint and material. Richard Cody discussed the process necessary to hold a public hearing.

Don Spinelli read the Board's proposed amendment to the regulation which was discussed in Executive Session.

With respect to **paint and materials**, if the formula of dollars times hours **is not accepted by a registered repair shop or licensed appraiser**, a published manual or other form of documentation shall be used.

After discussing the proposed changes to the regulation with members of the audience, the Board members voted unanimously to publish two options of proposed language which will be considered at the public hearing and both industries will have an opportunity to argue for or against either option. At the hearing, the Board members will listen to the recommendations for changes and then vote on either option or some variation in between.

The two options are as follows:

With respect to **paint and materials**, if the formula of dollars times hours **is not accepted by a registered repair shop or licensed appraiser**, a published manual or other form of documentation shall be used.

With respect to **paint, paint materials, body materials and related materials** if the formula of dollars times hours **is not accepted by a registered repair shop or licensed appraiser**, a published manual or other form of documentation shall be used.

Public hearing will take place at the next meeting on May 24, 2006 @ 9:00.

Two separate meetings: The open meeting be scheduled at 11:00

Future Meetings

May 24, 2006 at 9:00 a.m. (for public hearing) - 11:00 for Board meeting

June 21, 2006 at 9:00 a.m.