



**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 – September 26, 2007  
Marlboro, MA**

**Members Present:**

Gilbert W. Cox, Jr., Chairman, Law Offices of Gilbert W. Cox  
Joe Valarioti, Central Auto Rebuilders  
Joe Coyne, Home & Auto Appraisal  
David Krupa, Safety Insurance Company  
Yvonne Torres, Secretary

**Others in Attendance**

James Harvey, O'Malley & Harvey  
Steve Levesque, Hillcrest Chevrolet  
Leslie D'Emilia, D&G Court Reporting  
Steve Betley, Commerce  
Stan Adams, Commerce  
Peter Smith, Commerce  
Jim Bates, Commerce  
Gerry Muse, Commerce  
Susan Conena, Commerce  
Lisa Hansson, Premier  
Al Oliveira, Northeastern  
Jim McNary,, One Beacon  
Scott Harkenrider, Norfolk & Dedham  
Chris Burkhardt, Liberty Mutual  
Steven Rusconi, Liberty Mutual  
Mike Goldrick, Advanced Appraisal  
Chuck Goldrick, Baystate Appraisal  
Jim Callahan, Commerce  
Keven M. McCarron,, Arbella  
Frank DeSario, Safety  
Jim Waitu, MetLife  
Tom Crowley, MetLife  
Jessie Viera, MetLife  
Paul Semenkow, Peerless Insurance  
Eric Doyle, AMICA

**Proceedings recorded by:**

John Joyce, Commerce (Audio/Video)  
Thomas Colo, Advanced Auto Body (Audio/Video)  
Leslie D'Emilia, D&G Court Reporting (Hired by O'Malley & Harvey)

**Review of Minutes**

Motion by Valarioti to accept minutes of 8/22/07 as written. Seconded by Krupa. Passed 3-0

**Report on Licenses**

Ms. Torres reported: **5,132** Active Licenses; **271** Pending Renewal; **16** new applications;  
**6** Part I retakes; **16** individuals on waiting list for the next Part II

### **New Business**

Chairman Cox announced Bruce King's resignation and requested that Ms. Torres draft a letter to the Governor's office re: the need for a new appointment to the Board.

### **2007-01 – AASP/CMARA v. Levesque and LMIC**

Valarioti moved to postpone item until there is a full Board. Cox seconded. Motion failed 2-2.

Krupa moved to dismiss complaint, Coyne seconded. Motion failed. 2-2.

The complaint will be carried on to the next agenda until there is a full Board.

**Peter McCue, Esq. – Correspondence dated 8/13/07 and 7/23/07** - The Board voted to postpone discussion of this matter until there is a full Board. Krupa also moved that Attorney Kelly provide the Board by the next meeting a written legal opinion on whether the regulation is in conflict. Seconded by Coyne. Passed 3-0. The Board agreed to postpone any action on complaints filed relating to paint and materials until they have an opinion by its counsel.

### **New Complaints**

Complaint filed by Boulette's Auto Body did not have sufficient information (no estimate, no supplement) and it was not made against an appraiser. Coyne moved that the Board send a letter to consumer. Cox seconded. Passed 3-0

Complaint filed by Ray's Auto Body Inc. – Coyne moved that it be forwarded to the parties for response. Valarioti seconded. Passed 3-0

Complaint filed by West Side Auto Body & Towing did not deal with a licensed appraiser or insurance company over appraisal questions. It was determined that this complaint did not fall within the Board's jurisdiction.– Krupa moved to dismiss. Coyne seconded. Passed 3-1.

The eight complaints filed by Magri's Auto Body were postponed to the next meeting until the Board has a legal opinion from its counsel.

### **Pending Complaints**

2004-09 – Legere v. Chicos, Correia (Liberty) – Scheduled for October 24, 2007.

2005-37 – Betley v. Capazzoli – Scheduled for November 28, 2007.

### **ADALB Complaint Procedures**

The Board postponed discussion to the next meeting when counsel is present.

### **New Licensing Procedures and Effective Date**

The Board postponed discussion of this matter until they have a full Board. Chairman Cox appointed Krupa and Valarioti to the Licensing Subcommittee.

### **Increased temporary licensing fees**

Krupa moved that the fees remain the same. Coyne seconded. Passed 2-1.

### **Expedited Supplemental Appraisal Process**

Status will be provided by counsel at the next meeting.

### **Other Discussions**

Cox dictated a letter to Ms. Torres for the Commissioner of Insurance re: scheduling a meeting to discuss a separate appropriation for the Board so that they are able to have control over the appointment of their own staff.

**Future Meetings:** October 24, 2007, November 28, 2007 & December 19, 2007

**“MA Man Sentenced for Tax Evasion”** – Coyne moved that the DOI pull the appraiser's renewal to see if he disclosed criminal history. Seconded by Valarioti. Passed 3-0.

Cox requested that CORI reports be placed as an item on the next agenda.

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