



THE COMMONWEALTH OF MASSACHUSETTS
AUTO DAMAGE APPRAISER LICENSING BOARD

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CHAIRMAN

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

DAVID E. KRUPA
JOSEPH COYNE
JOSEPH A. VALARIOTI

Minutes of Meeting

Auto Damage Appraisers Licensing Board, Marlboro, MA – December 19, 2007

Members Present:

Joe Valarioti, Acting Chairman, Central Auto Rebuilders
David Krupa, Safety Insurance Company
Joseph Coyne
Yvonne Torres, Secretary

Proceedings recorded by:

John Joyce, Commerce (Audio/Video)
Thomas Colo, Advanced Auto Body (Audio/Video)
Yvonne Torres, MA Division of Insurance (Audio)

Review of Minutes

Krupa moved to accept minutes of 10/24/07 as written. Seconded by Coyne. Passed 3-0

Report on Licenses

5,166 Active Licenses; **244** Pending Renewal

Subcommittee Report

A letter addressed to Diane Silverman-Black re: attending Thompson Prometric's annual review of test questions was drafted by David Krupa and presented to Board members for their signature. The original will be forwarded to Gil Cox for his signature.

The recommendations of the subcommittee on the elimination of Part II were discussed however; the current members decided not to vote on the issue until a fourth member is appointed to the Board. Sue Conena will provide a copy of the new test questions to Ms. Torres for distribution to the Board. Further discussion was postponed until the next meeting.

Informal Hearing

2007-11 – B&D Auto Body v. Scott Adie

JV - Motion to postpone. Motion not seconded.

Parties present: Brenden Butler, Scott Adie, Boston Adjustment; Angelo Mingolla, Hanover Insurance.

After the informal hearing and listening to testimony from both sides, Coyne made a motion that customer negotiate claim with Hanover. Krupa seconded. Passed 2-0.

Coyne made a second motion that the Board postpone a vote on formal hearing. Seconded by Krupa. Passed 2-0.

Item will be on the agenda next month.

Step 2 Complaints

2007-01 – AASP/CMARA v. Levesque/LMIC

This complaint will continue on the agenda for action when there is a full Board.

2007-03 – Magri's Auto Body v. Poplaski & Commerce (Insured: Cynthia Dumas)

Motion to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.

Seconded by Coyne. Passed 3-0

2007-04 – Magri's Auto Body v. Poplaski & Commerce (Insured: Timothy Carroll)

Motion by Valarioti to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.

Seconded by Coyne. Passed 3-0

2007-05 – Magri’s Auto Body v. Poplaski & Commerce (Insured: Ja Kim Kyoung)
Motion by Valarioti to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.
Seconded by Coyne. Passed 3-0

2007-06 – Magri’s Auto Body v. Poplaski & Commerce (Insured: Tomeka Hodges)
Motion by Valarioti to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.
Seconded by Coyne. Passed 3-0

2007-07 – Magri’s Auto Body v. Poplaski & Commerce (Insured: Alphonse J. Ziter)
Motion by Valarioti to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.
Seconded by Coyne. Passed 3-0

2007-08 – Magri’s Auto Body v. Poplaski & Commerce (Insured: Karen Covell)
Motion by Valarioti to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.
Seconded by Coyne. Passed 3-0

2007-09 – Magri’s Auto Body v. Poplaski & Commerce (Insured: Richard Powers)
Motion by Valarioti to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.
Seconded by Coyne. Passed 3-0

2007-10 – Magri’s Auto Body v. Omasta & Commerce (Insured: Judith Clarke)
Motion by Valarioti to postpone consideration until Board receives an opinion from Attorney Kelly on price-fixing.
Seconded by Coyne. Passed 3-0

2007-14 – Mass. Motors Inc. v. Bernard Waggenheim
Motion by Valarioti to postpone action until response is received from Mr. Waggenheim. Valarioti asked that another letter be sent out to Bernie Waggenheim requesting a response.

Pending Complaints (2004-09; 2005-07)

Items postponed.

ADALB Complaint Form

Item postponed. Valarioti is working on drafting a new form.

Complaint Procedures

Krupa drafted new complaint procedures for approval by the Board. Coyne moved to accept the changes as written. Seconded by Krupa. Passed 2-1.

Expedited Supplemental Appraisal Process

Item postponed.

Requests for temporary licenses

- Maryellen Richards – Applicant failed Part II twice. Coyne moved not to issue a temporary license. Seconded by Valarioti. Passed 2-0. Ms. Richards was denied her request.
- John Mullen, Progressive. Western, MA in need of another appraiser. Applicant passed Part I and is waiting for Part II. Krupa made a motion to issue a 90-day temporary license. Coyne seconded due to weather conditions. Passed 2-0.

License application review

- J. Trecartin – After brief interview with applicant, Coyne made a motion to approve application. The motion was seconded by Krupa. Passed 3-0.

Future Meetings:

January 15, 2008;

February 20, 2008

March 19, 2008