

FOR IMMEDIATE RELEASE

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State Licensing Boards Release Actions - (3Q 2004)

HARRISBURG (November 4, 2004) – Secretary of Commonwealth, Pedro A. Cortés and Basil L. Merenda, Commissioner of the State Department’s Bureau of Professional and Occupational Affairs today announced 41 disciplinary actions taken by the State Licensing Boards between July and September of 2004.

Actions were taken against individuals or firms in the following counties: Allegheny (4 actions); Bedford (2 actions); Berks (2 actions); Bucks (1 action); Cambria (1 action); Chester (3 actions); Clinton (1 action); Cumberland (2 actions); Dauphin (6 actions); Delaware (1 action); Fayette (1 action); Lackawanna (1 actions); Lancaster (1 action); Luzerne (2 actions); Lycoming (1 action); Monroe (1 action); Northampton (2 actions); Pike (1 action); Philadelphia (7 actions); Westmoreland (2 actions). York (1 action). A total of 1 action involved Pennsylvania licenses with out-of-state addresses.

The date following each action reflects when the order for that specific action was issued. Most, but not all, disciplinary actions take effect 30 days after the order.

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2004

STATE LICENSING BOARDS AND COMMISSIONS RELEASE ACTIONS

The State Board of Real Estate Commission imposed the following sanctions:

Kathryn M. Bollman, license no. RS-185135-L of Bedford, Bedford County, was ordered to pay a civil penalty of Six Thousand Dollars (\$6000.00), to complete a 30 hour Real Estate Education Law course from an approved real estate school, and a reprimand will be placed on her permanent Commission record because Bollman engaged in conduct, or advertised, or held herself out as engaging in or conducting the business or acting in the capacity of a salesperson in this Commonwealth without first being licensed or registered by the Commission as provided in the Act; failed to pay a deposit to her broker; accepted a commission for the performance of any acts specified in the Act, from any person, except the licensed real estate broker with whom he/she is affiliated. Lastly, Respondent performed any act for which an appropriate real estate license is required and is not currently in effect (07-27-04)

Joyce Kimble, license no. RS-114265-A of Bedford, Bedford County, was ordered to pay

a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) and a reprimand will be placed on her permanent board record, because Kimble engaged in conduct, or advertised, or held herself out as engaging in or conducting the business or acting in the capacity of a salesperson in this Commonwealth without first being licensed or registered by the Commission as provided in the Act. Respondent also failed to pay over a deposit to a broker; accepted a commission for the performance of any acts specified in the act, from any person, except the licensed real estate broker with whom he/she is affiliated, and performed any act for which an appropriate real estate license is required and is not currently in effect. (07-27-04)

Fox and Roach and Charles G. Roach, Jr., license no. RB-061717-C and RM-024824-K of Devon, Chester County, was ordered to pay a five hundred dollar (\$500) civil penalty, because Respondents failed to exercise adequate supervision over the activities of a licensed salesperson within the scope of the Act. (07-27-04)

Richard K. Anstey, license no. RS-165145-L and RB-061717C of Devon, Chester County, was ordered to pay a five hundred dollar (\$500) civil penalty, because Anstey engaged in misleading advertising by placing a picture of an unlicensed person in a real estate advertisement. Respondent also failed to include the telephone number of the [REDACTED] employing broker for each of the employees pictured and described on the last page of the advertisement. (07-27&28-04)

Nancy J. Braun, license no. RS-153436-A of McKees Rocks, Allegheny County, was ordered to pay a civil penalty of Seven Hundred and Fifty dollars (\$750.00), because [REDACTED] failed to voluntarily furnish a copy of a lease to all signatories thereof at the time of execution, and failed to provide the disclosures required by 63 P.S. 455.608 and 49 Pa. Code 35.284(a). (07-27-28-04)

John G. Holloway, license nos. RB-028876-A and AB-028876-L, of Harrisburg, Dauphin County, was suspended for one year of which six months is active, and assessed a \$4,000 civil penalty and required the completion of a 30 hour real estate law course for violating [REDACTED] Commission's escrow requirements. (7/29/04)

Arnold J. Bolden/Tri-State Real Estate Services/William T. Leibowitz, license nos. AB-048287-L and RS-148759-A, of Philadelphia, Philadelphia County, were assessed a total of \$5,000 civil penalties for aiding and abetting an unlicensed person, unlicensed practice, incompetency, inappropriate conduct and failure to submit the education credit necessary to renew his license. (7/30/04)

Gregory R. Hartigan, unlicensed, of Philadelphia, Philadelphia County, was assessed a \$1,000 civil penalty for acting as a real estate broker or salesperson when he was not currently licensed as such. (7/30/04)

Gary Kubovcsak, License No. RS-223025-L, of Harrisburg, Dauphin County, was placed on probation for pleading guilty to two counts of delivery of a controlled substance and

conspiracy to deliver a controlled substance pursuant to Section 604(a)(14) of the RELRA, 63 P.S. § 455.604(a)(14). (7/30/04)

Donald F. Perry, license no. RS-194925-L of Temple, Berks County, permanently and voluntarily surrendered his license, because Perry made substantial misrepresentations, made false promises of a character likely to influence or persuade a person to enter into a contract, acted for more than one party to a transaction without the knowledge and consent of all parties, and demonstrated bad faith, dishonesty, untrustworthiness and incompetency. (09-14-04)

Vicki Lee Laspina, license no. RS-163380-A of Milford, Pike County, was ordered to pay a Civil Penalty of Two Hundred Fifty Dollars (\$250.00), because Laspina failed to obtain a signed Consumer Notice prior to beginning substantive discussions regarding a real estate transaction (09-14&15-04)

David H. Kennedy, license no. RS-196524-L of Pittsburgh, Allegheny County, was ordered to pay a civil penalty of one thousand five hundred dollars (\$1,500.00), because Kennedy engaged in conduct during a real estate transaction, which demonstrated bad faith, dishonesty, untrustworthiness or in competency (09-16-04)



Peter G. Weindorfer, Sr., license no. RB-047732-L of Philadelphia, Philadelphia County, was ordered to pay a civil penalty of Two Thousand dollars (\$2,000.00), and a public reprimand was placed on Respondent's permanent Commission record, because Weindorfer advertised or otherwise held himself out to the public under a business name designated on his license (09-14-04)



Salvatore Calabro, license no. RS-271218 of Newtown Square, Delaware County, consented to the revocation of his license by the State Real Estate Commission, because Calabro was convicted in Federal Court of a felony. (09-14-04)



The State Board of Vehicle Manufacturers, Dealers and Salespersons imposed the following sanctions:

Angel Luis Garcia, license no. MV-152958-L, of Harrisburg, Dauphin County, was ordered to pay a civil penalty of \$1000 and suspended for 5 years, based upon his federal conviction for drug trafficking. After an active period of suspension of six months, the balance of the suspension is stayed in favor of probation. Garcia last practiced in Dauphin County. (6-15-04)

Francis J. Palumbo, II, license no. MV-055694-L, of Uniontown, Fayette County, was denied reinstatement. (6-15-04)

Donald G. Pape, Jr., license no. MV-074864-L, of Hazleton, Luzerne County, was ordered to pay a civil penalty of \$1000 and suspended for six months, based upon his criminal conviction. (6-15-04)

Thomas F. Prill, license no. MV-130834-L, of Pittsburgh, Allegheny County, was revoked and assessed a civil penalty of \$1000 based upon his criminal conviction. Prill last practiced in Allegheny County. (6-15-04)

Peter L. Zoog, license no. MV-037639-L, of Levittown, Bucks County, was assessed civil penalty of \$1000 and suspended for two months, based upon his criminal convictions. (6-15-04)

Rodney E. Landis, of Harrisburg, Dauphin County, was denied a vehicle salesperson license, based upon his criminal conviction. (06-21-04)

William E. Murphy, of Mechanicsburg, Cumberland County, was denied a vehicle salesperson license, based upon his criminal conviction. (06-21-04)

Shoop Trailer Manufacturing, license no. VM-000254-L of Dillsburg, York County, was ordered to pay a civil penalty of seven hundred fifty dollars (\$750.00), because they engaged in vehicle sales activities while its license was lapsed or expired (07-08-04)

Timothy Wodoslawsky and Randall Motor Company, license no. MV-183209 and VD-003826-A of Portage, Cambria County, were ordered to pay a civil penalty of six hundred dollars (\$600.00), because Wodoslawsky engaged in the sale of vehicles before he was properly licensed to do so for Randall Motor Company. (07-08-04)

E and B Auto Sales, no license, of Honey Brook, Chester County, was assessed a civil penalty of two thousand five hundred dollars (\$2500.00) and ordered to cease and desist from the buying and selling of motor vehicles, the attendance at dealer-only auctions and any activity that requires licensure under the Act because it engaged in the business of selling and dealing cars without being properly licensed. (7-8/9-04)

Ronald J. May, license no. MV-056684-L of Nanticoke, Luzerne County and Ronnie's Service Center Auto Sales, license no. VD-008677-L of Wilkes-Barre, Luzerne County had their licenses revoked, because Respondent entered a guilty plea to two felony crimes involving moral turpitude (07-8&9-04)

The Pennsylvania State Board of Vehicle Manufacturers, Dealers and Salespersons levied a civil penalty of \$1,000 and revoked the vehicle salesperson license of Joseph F. Karp, Jr., license no. MV-140004-L, of Bethlehem, Northampton County, based on his criminal conviction. Karp last practiced in Northampton County. (7-12-04)

Ian F. Kessler, license no. MV-181200, of Youngwood, Westmoreland County, had charges of being an unlicensed salesperson dismissed. Kessler last practiced in Fayette County. (7-12-04)

McGill Equipment Co., license no. VD-017450-L, of Mt. Pleasant, Fayette County, and McGill Motors, license no. BR-017450-B, of Scottsdale, Westmoreland County, were revoked, based upon the criminal convictions and subsequent revocation of the

salesperson license of their principal, John C. McGill. (7-12-04)

Albert J. Carpinet, Jr., of Taylor, Lackawanna County, was denied licensure as a vehicle salesperson based upon his criminal conviction. (7-12-04)

Steven J. Danubio, of Nazareth, Northampton County, was denied licensure as a vehicle salesperson, based upon his criminal conviction. (7-12-04)


Edward J. Dubina, license no. MV-115307-L, of Pittsburgh, Allegheny County, was denied reinstatement. (7-12-04)


Brian D. Smith, license number MV-101441-L, of Harrisburg, Dauphin County, was revoked and ordered to pay a civil penalty of \$3,000, based upon his criminal convictions and having made a material misstatement in his application for licensure. Smith last practiced in Cumberland County. (7-12-04)

Gary Lee Tabbutt, license no. MV-078071-L, of Lancaster, Lancaster County, was reprimanded, based upon his criminal conviction. (7-12-04)

Robert T. Taylor, license no. MV-165695-L, of Harrisburg, Dauphin County, was revoked and ordered to pay a civil penalty of \$2,000, based upon his criminal conviction and his having made a material misstatement in his application for licensure. Taylor last practiced in Lancaster County. (7-12-04)

Steven W. Konefsky, license no. MV-175513 of Philadelphia, Philadelphia County, has permanently and voluntarily surrendered his license, because Konefsky violated the Board of Vehicles Act in that Respondent entered guilty pleas in a court of competent jurisdiction. (08-12-04)

A & A Motors, Inc. license no. VD-021530-L of Philadelphia, Philadelphia County, was ordered to pay a Civil Penalty of Five Hundred Dollars (\$500.00) and will have a Public Reprimand placed on its permanent Board record, because A & A Motors, Inc. willfully permitted an individual or salesperson to buy, sell or exchange vehicles for his own  profit or profit under the dealer's license (08-12&13-04)

Black Dog Motorcycles LLC, license no. VD-025864 of Wormleysburg, Cumberland County, was ordered to pay a Civil Penalty of five hundred dollars (\$500.00), because they participated in a public vehicle show and/or off-remise sale and/or exhibition outside Respondent's relevant  market area and conducted business at a location other than that authorized by its license. (08-12&13-04)

David Ross Kelley, Jr., license no. MV-123555-L, of Renovo, Clinton County, was assessed a civil penalty of one thousand dollars (\$1000.00) and had his license indefinitely suspended based on his guilty plea to a felony. (8-12/13-04)



Rockland Auto Sales, Inc, license no. VD-021157-L of Philadelphia, Philadelphia County, was ordered to pay a Civil Penalty of five hundred dollars (\$500.00) and have a Public Reprimand placed on its permanent Board record, because Respondent willfully permitted an individual or salesperson to buy, sell or exchange vehicles for his own benefit or profit under the dealer's license. (08-12&13-04)

Ralph W. Taylor, license no. MV-181026 of Philadelphia, Philadelphia County, voluntarily and permanently surrendered his license, because Taylor entered a guilty plea to eight (8) crimes involving moral turpitude (08-12&13-04)



Colonial Car and Truck Outlet, Sander Oldsmobile, Buick, GMC, license no. BR-025049 of Gilbert, Monroe County, was ordered to pay a civil penalty of one thousand dollars (\$1000.00), because Respondent engaged in the business of vehicle sales while Respondent's license was lapsed or expired. (09-09-04)



ald F. Perry, license no. MV-143961-L of Wyomissing, Berks County, voluntarily and permanently surrendered his license because Perry made substantial misrepresentations, made false promises of a character likely to influence, persuade or influence a sale of a vehicle, committed acts demonstrating unprofessional conduct or incompetency, and made material misstatements on applications for licensure. (09-09-04)

Paul J. Leahy, license no. MV-123183-L of Fort Dix, NJ had his license Revoked and had a Public Reprimand placed on his permanent Board record, because Leahy was convicted of ten crimes of moral turpitude (09-09&10-04)

Timothy D. Smith, license no. MV-123182-L of Montgomery, Lycoming County, was ordered to have his license Revoked and have a Public Reprimand placed on his permanent Board record, because Respondent was convicted of two crimes of moral turpitude (09-09&10-04)

