

**STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**DEPARTMENT OF HIGHWAY SAFETY  
AND MOTOR VEHICLES,**

**Petitioner,**

v.

**Case No.: MS-22-008**

**License No.: VI-1133073**

**VROOM AUTOMOTIVE LLC.,  
Respondent.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner, the Department of Highway Safety and Motor Vehicles, files this Administrative Complaint against Respondent, and alleges:

1. Petitioner is the state agency charged with regulating the business of buying, selling, or dealing in motor vehicles or offering or displaying motor vehicles for sale, pursuant to section 20.24 and Chapter 320, Florida Statutes, and Rule 28-106.2015, Florida Administrative Code.

2. Section 320.27(1)(c)2., Florida Statutes, defines "Independent motor vehicle dealer," or non-franchised motor vehicle dealer, as any person other than a franchised or wholesale motor vehicle dealer who engages in the business of buying, selling, or dealing in motor vehicles, and who may service and repair motor vehicles.

3. Respondent is, and has been at all times material hereto, a licensed motor vehicle dealer in the State of Florida, having been issued license number VI-1133073, based upon the application identifying PAUL HENNESSY as President. The physical address of record is 1551 East Silver Star Road, Ocoee, Florida 34761.

4. Section 320.27(9)(b)8., Florida Statutes, provides that the Department may deny, suspend, or revoke any license issued hereunder upon proof that a licensee fails to continually meet the requirements of the licensure law.

5. Section 320.27(9)(b)6., Florida Statutes, provides that a motor vehicle dealer must apply for transfer of title as prescribed in section 319.23(6)(a), Florida Statutes.

6. Section 319.23(6)(a), Florida Statutes, provides that “[i]n the case of the sale of a motor vehicle or mobile home by a licensed dealer to a general purchaser, the certificate of title must be obtained in the name of the purchaser by the dealer upon application signed by the purchaser, and in each other case the certificate must be obtained by the purchaser. In each case of transfer of a motor vehicle or mobile home, the application for a certificate of title, a corrected certificate, or an assignment or reassignment must be filed within 30 days after the delivery of the motor vehicle....”

7. Florida Administrative Code 15C-16.013 provides that the failure to correct errors or clear pending transactions in the Electronic Filing System as required by the Department is prohibited.

8. Section 320.27(12), Florida Statutes, provides that the Department may levy and collect a civil fine, in an amount not to exceed \$1,000 for each violation, against any licensee if it finds that the licensee has violated any provision of this section or has violated any other law of this state or the federal law and administrative rule.

## FACTS

9. On or about December 21, 2021, a desk review of the Respondent's Title Records and pending EFS transactions was completed.

10. It was found, during that review, that the Respondent had title transactions that were 90 days or more late, and had pending EFS transaction that had not been completed or cleared out of the system within 30 days.

## COUNT ONE

11. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

12. On July 28, 2021, the Respondent sold a 2015 Mercedes (VIN: WDDLJ6FB6FA156672) to A.L.V.

13. Respondent transferred title to the consumer on November 15, 2021, 110 days after the date of sale.

14. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

## COUNT TWO

15. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

16. On July 8, 2021, the Respondent sold a 2018 Ford (VIN: 1FATP8UH1J5115286) to A.W.C.

17. Respondent transferred title to the consumer on November 15, 2021, 130 days after the date of sale.

18. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT THREE**

19. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

20. On August 13, 2021, the Respondent sold a 2018 Lexus (VIN: JTHBA1D29J5066184) to S.P.W.

21. Respondent transferred title to the consumer on November 15, 2021, 94 days after the date of sale.

22. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT FOUR**

23. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

24. On August 15, 2021, the Respondent sold a 2018 Honda (VIN: 1HGCV2F33JA020171) to A.D.B Jr.

25. Respondent transferred title to the consumer on December 1, 2021, 108 days after the date of sale.

26. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

#### **COUNT FIVE**

27. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

28. On August 6, 2021, the Respondent sold a 2019 Honda (VIN: SHHFK8G76KU201491) to R.P.S.

29. Respondent transferred title to the consumer on November 30, 2021, 96 days after the date of sale.

30. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

#### **COUNT SIX**

31. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

32. On August 18, 2021, the Respondent sold a 2019 Honda (VIN: 1HGCV1F45KA158606) to V.L.N.

33. Respondent transferred title to the consumer on November 22, 2021, 96 days after the date of sale.

34. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT SEVEN**

35. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

36. On June 3, 2021, the Respondent sold a 2018 Tesla (VIN: 5YJ3E1EA6JF040432) to B.M.B.

37. Respondent transferred title to the consumer on November 9, 2021, 159 days after the date of sale.

38. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT EIGHT**

39. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

40. On June 24, 2021, the Respondent sold a 2019 Nissan (VIN: 1N6AA1E53KN517002) to S.J.V. II.

41. Respondent transferred title to the consumer on November 12, 2021, 141 days after the date of sale.

42. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT NINE**

43. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

44. On July 27, 2021, the Respondent sold a 2015 Cadillac (VIN: 3GYFNCE34FS578727) to T.C.K. III.

45. Respondent transferred title to the consumer on December 2, 2021, 128 days after the date of sale.

46. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT TEN**

47. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

48. On August 5, 2021, the Respondent sold a 2021 Tesla (VIN: 5YJ3E1EA6MF878822) to A.N.M.P.

49. Respondent transferred title to the consumer on December 2, 2021, 119 days after the date of sale.

50. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT ELEVEN**

51. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

52. On August 13, 2021, the Respondent sold a 2019 Toyota (VIN: 5TFDY5F18KX855112) to S.A.N.

53. Respondent transferred title to the consumer on November 12, 2021, 91 days after the date of sale.

54. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT TWELVE**

55. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.



56. On July 14, 2021, the Respondent sold a 2018 Kia (VIN: 3KPA25AB8JE066767) to J.H.C.

57. Respondent transferred title to the consumer on November 18, 2021, 127 days after the date of sale.

58. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT THIRTEEN**

59. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

60. On June 1, 2021, the Respondent sold a 2017 Jeep (VIN: 1C4PJLCB3HW508045) to N.M.W.

61. Respondent transferred title to the consumer on November 15, 2021, 167 days after the date of sale.

62. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT FOURTEEN**

63. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

64. On August 14, 2021, the Respondent sold a 2013 Chevrolet (VIN: 2G1FB1E36D9199363) to J.P.C. Jr.

65. Respondent transferred title to the consumer on November 19, 2021, 97 days after the date of sale.

66. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

#### **COUNT FIFTEEN**

67. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

68. On August 20, 2021, the Respondent sold a 2019 Kia (VIN: KNAE35LC7K6046907) to D.A.P.

69. Respondent transferred title to the consumer on November 19, 2021, 91 days after the date of sale.

70. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

#### **COUNT SIXTEEN**

71. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

72. On July 5, 2021, the Respondent sold a 2015 Cadillac (VIN: 1G6AA5RX7F0134305) to M.S.G.

73. Respondent transferred title to the consumer on November 18, 2021, 136 days after the date of sale.

74. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT SEVENTEEN**

75. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

76. On July 16, 2021, the Respondent sold a 2021 Toyota (VIN: JTELU5JR0M5846791) to E.P.J.

77. Respondent transferred title to the consumer on November 30, 2021, 137 days after the date of sale.

78. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT EIGHTEEN**

79. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

80. On August 2, 2021, the Respondent sold a 2017 Volkswagen (VIN: 3VWD17AJ2HM413719) to D.C.L.

81. Respondent transferred title to the consumer on November 29, 2021, 119 days after the date of sale.

82. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT NINETEEN**

83. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

84. On August 16, 2021, the Respondent sold a 2014 Jeep (VIN: 1C4NJRFB4ED792928) to D.A.R.

85. Respondent transferred title to the consumer on November 23, 2021, 99 days after the date of sale.

86. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT TWENTY**

87. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

88. On July 6, 2021, the Respondent sold a 2014 Mercedes (VIN: WDDSJ4EB3EN122374) to C.D.B.

89. Respondent transferred title to the consumer on November 23, 2021, 140 days after the date of sale.

90. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

**COUNT TWENTY-ONE**

91. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

92. On July 26, 2021, the Respondent sold a 2015 Dodge (VIN: 1C3CDFBB8FD373473) to I.V.

93. Respondent transferred title to the consumer on December 2, 2021, 129 days after the date of sale.

94. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

**COUNT TWENTY-TWO**

95. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

96. On May 12, 2021, the Respondent sold a 2017 Tesla (VIN: 5YJXCBE26HF044531) to I.S.

97. Respondent transferred title to the consumer on December 7, 2021, 209 days after the date of sale.

98. Based on the foregoing, Respondent violated section 320.27(9)(b)8, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6., Florida Statutes, and section 319.23(6)(a), Florida Statutes, when Respondent failed to transfer title within thirty (30) days.

### **COUNT TWENTY-THREE**

99. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

100. On April 2, 2021, the Respondent sold a 2017 Chevrolet (VIN: 1GN5CAK3HR301857) to R.S.

101. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

102. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

103. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT TWENTY-FOUR**

104. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

105. On May 26, 2021, the Respondent sold a 2015 Ford (VIN: 3FA6P0PU5FR255398) to J.M.

106. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

107. Respondent failed to transfer the title to the customer within 30 days of the date of sale.

108. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT TWENTY-FIVE**

109. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

110. On May 29, 2021, the Respondent sold a 2019 Honda (VIN: SHHFK8G7XKU203308) to S.M.

111. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

112. Respondent failed to transfer the title to the customer within 30 days of the date of sale.

113. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT TWENTY-SIX**

114. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

115. On June 17, 2021, the Respondent sold a 2019 Volkswagen (VIN: 1V2RR2CA6KC594493) to T.P.

116. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

117. Respondent failed to transfer the title to the customer within 30 days of the date of sale.

118. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT TWENTY-SEVEN**

119. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

120. On June 24, 2021, the Respondent sold a 2020 Honda (VIN: 2HGFC3A56LH752526) to J.S.



121. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

122. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

123. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT TWENTY-EIGHT**

124. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

125. On June 24, 2021, the Respondent sold a 2017 Chevrolet (VIN: 2GNALCEK9H1616777) to G.B.

126. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

127. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

128. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT TWENTY-NINE**

129. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

130. On July 25, 2021, the Respondent sold a 2019 Dodge (VIN: 2C3CDZL95KH739402) to S.J. and G.B.

131. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

132. Respondent failed to transfer the title to the customer within 30 days of the date of sale.

133. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY**

134. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

135. On August 19, 2021, the Respondent sold a 2018 Ford (VIN: 1FTEW1EG8JKC02462) to B.H.

136. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

137. Respondent failed to transfer the title to the customer within 30 days of the date of sale.

138. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-ONE**

139. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

140. On August 24, 2021, the Respondent sold a 2015 Toyota (VIN: 5TDKK3DC4FS562966) to L.L.

141. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

142. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

143. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-TWO**

144. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

145. On August 26, 2021, the Respondent sold a 2015 Tesla (VIN: 5YJSA1H19FFP75092) to P.F.

146. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

147. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

148. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-THREE**

149. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

150. On August 30, 2021, the Respondent sold a 2020 Chevrolet (VIN: 1GCRYAEF6LZ187277) to D.R.

151. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

152. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

153. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-FOUR**

154. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

155. On August 12, 2021, the Respondent sold a 2017 Ford (VIN: 1FTEW1EF0HFA85986) to J.S.

156. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

157. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

158. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-FIVE**

159. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

160. On August 16, 2021, the Respondent sold a 2017 Jeep (VIN: 1C4PJMCS5HW612381) to B.N and S.S.

161. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

162. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

163. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-SIX**

164. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

165. On August 15, 2021, the Respondent sold a 2019 Chevrolet (VIN: 1GCPYFED1KZ109653) to S.R.

166. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

167. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

168. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-SEVEN**

169. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

170. On August 17, 2021, the Respondent sold a 2019 RAM (VIN: 1C6SRFHT8KN778267) to G.W.

171. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

172. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

173. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-EIGHT**

174. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

175. On August 27, 2021, the Respondent sold a 2017 Honda (VIN: 5FNRL5H94HB000286) to D.O. and S.O.

176. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

177. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

178. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT THIRTY-NINE**

179. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

180. On August 22, 2021, the Respondent sold a 2018 Ford (VIN: 1FATP8UH4J5176986) to S.D.

181. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

182. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

183. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

#### **COUNT FORTY**

184. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

185. On August 28, 2021, the Respondent sold a 2020 Dodge (VIN: 2C3CDXGJ9LH246039) to G.M.

186. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

187. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.



188. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

#### **COUNT FORTY-ONE**

189. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

190. On September 9, 2021, the Respondent sold a 2019 Ram (VIN: 3C6UR5FL9KG595460) to A.S.

191. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

192. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

193. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

#### **COUNT FORTY-TWO**

194. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

195. On July 20, 2021, the Respondent sold a 2020 Ford (VIN: 1FA6P8JZ9L5550814) to R.B.

196. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

197. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

198. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT FORTY-THREE**

199. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

200. On June 26, 2021, the Respondent sold a 2019 Audi (VIN: TRUTECFV8K1005825) to B.F.

201. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

202. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

203. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

### **COUNT FORTY-FOUR**

204. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

205. On August 9, 2021, the Respondent sold a 2018 Honda (VIN: JHMFC1F95JX000628) to G.P.

206. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

207. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

208. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

#### **COUNT FORTY-FIVE**

209. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

210. On July 6, 2021, the Respondent sold a 2019 Jeep (VIN: ZACNJABB8KPK17524) to D.D.

211. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

212. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

213. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

#### **COUNT FORTY-SIX**

214. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

215. On August 24, 2021, the Respondent sold a 2017 Nissan (VIN: 3N1CN7AP0HL866222) to B.B.

216. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

217. Respondent failed to transfer the title to the customer within 30 days of the date of sale.

218. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

#### **COUNT FORTY-SEVEN**

219. Petitioner realleges and incorporates as if fully stated herein the allegations contained in paragraphs 1-10 above.

220. On August 10, 2021, the Respondent sold a 2015 BMW (VIN: 5UXWX7C5XF0K31792) to T.H. and M.H.

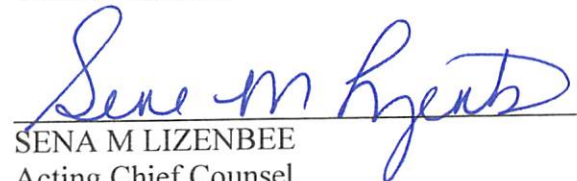
221. As of December 21, 2021, the transaction was still listed as “pending” in the Electronic Filing System.

222. Respondent failed to transfer the title to the costumer within 30 days of the date of sale.

223. Based on the foregoing, Respondent violated section 320.27(9)(b)8 and 320.27(9)(b)16, Florida Statutes, by failing to continually meet the requirements of section 320.27(9)(b)6, Florida Statutes, Rule 15C-16.013, Florida Administrative Code and section 319.23(6)(a), Florida Statutes.

WHEREFORE, the Department hereby gives notice of its intent to enter a Final Order imposing one or more of the following penalties: imposition of an administrative fine, suspension or revocation of Respondent's license, and/or any other relief deemed appropriate.

CHRISTIE S. UTT  
General Counsel



SENA M LIZENBEE  
Acting Chief Counsel  
Florida Bar No.: 110569  
Department of Highway Safety  
and Motor Vehicles  
2900 Apalachee Parkway, A-432  
Tallahassee, FL 32399-0504  
Telephone: (850) 617-3006

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via certified mail to:

Paul Hennessy  
Vroom  
1551 East Silver Star Road  
Ocoee, Florida 34761

Paul Hennessy  
Vroom  
2103 Citywest Boulevard  
Suite 1100  
Houston, Texas 77042

Paul Hennessy  
Vroom  
19900 Beach Road  
Apartment 504  
Tequesta, Florida 33469

on this 7<sup>th</sup> day of January, 2022.

  
SENA M LIZENBEE



FLORIDA HIGHWAY SAFETY AND MOTOR VEHICLES

Terry L. Rhodes  
Executive Director

2900 Apalachee Parkway  
Tallahassee, Florida 32399-0500  
www.flhsmv.gov

RE: HSMV Case No.: MS-22-008  
License No.: VI-1133073

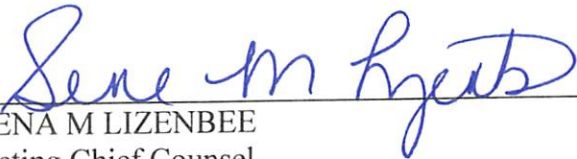
Dear Mr. Hennessy,

You have received an Administrative Complaint from the Department of Highway Safety and Motor Vehicles. You have certain legal rights under Sections 120.569 and 120.57, Florida Statutes, before any final agency action can be taken.

The purpose of the following ELECTION OF RIGHTS FORM is to explain the options available to assist you in resolving your case. You may only choose one of the options.

**If you do not respond to the Administrative Complaint by filing a completed Election Of Rights Form or Petition For Hearing within twenty-one (21) days from receiving this paperwork, the Department will enter a final order of disciplinary action in this case (Rule 28-106.111, Florida Administrative Code).**

Please consult with an attorney if you have any questions or need further clarification about your legal rights in this case.

  
SENA M LIZENBEE  
Acting Chief Counsel  
Department of Highway Safety and Motor Vehicles

## ELECTION OF RIGHTS

**This Election of Rights form and, if you elect a hearing, a Petition for Hearing must be RECEIVED by the Department within twenty-one (21) days of your receipt of the Administrative Complaint.**

All paperwork must be filed (mail, fax, or email) with Joseph Gillespie, DHSMV Agency Clerk, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, A-432, MS-2, Tallahassee, Florida 32399, F: (850) 617-5112, E: OGCFiling@flhsmv.gov.

**Failure to timely return the appropriate forms will constitute a waiver of your right to dispute issues of material fact.**

### PLEASE CHECK ONLY ONE OPTION.

**Option (1)**  I would like to settle this action now. I am including the attached Settlement Agreement, signed [Attachment A].

**Option (2)**  I do not dispute the allegations of material fact in the Administrative Complaint and *waive my right to any form of hearing*. I request that a Final Order imposing a penalty be entered in this case. I understand that by waiving my right to any form of hearing, it allows the Department to impose a penalty (including, but not limited to, fines, suspension of my licensure, or revocation of my licensure) without my input or mitigation.

**Option (3)**  *I do not dispute the allegations* of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to section 120.57(2), Florida Statutes (“informal hearing”) and that this oral and written evidence be considered before any penalty and fines are imposed. *I am including the Petition for Hearing [Attachment B] or other Petition for Hearing, which provides specific information required by Rule 28-106.301, Florida Administrative Code and by Section 120.569, Florida Statutes.* I understand that if I file an insufficient Petition for Hearing, the petition shall be dismissed, pursuant to Section 120.569(2)(c), Florida Statutes. I understand that I may also provide written proof (e.g. letters, emails, document receipts, etc.) to support my petition, but I understand that I am not required to do so.

**In addition to the above election for informal hearing, if you wish to enter into settlement negotiations, check the box below:**

I wish to preserve my right to an informal hearing, but I am interested in settling this case prior to the hearing. In addition to the Petition for Hearing, I have attached documentary mitigating evidence, which I would like to be considered as I engage in settlement negotiations with the Department.

**Option (4)**  *I do dispute the allegations* of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to sections 120.569(2)(a) and 120.57(1), Florida Statutes, (“formal hearing”) before an Administrative Law Judge of the Division of Administrative Hearings. *I am including the Petition for Hearing [Attachment B] or other Petition*



*for Hearing, which provides specific information required by Rule 28-106.201, Florida Administrative Code and by Section 120.569, Florida Statutes. I understand that if I file an insufficient Petition for Hearing, the petition shall be dismissed, pursuant to Section 120.569(2)(c), Florida Statutes. I understand that I may also provide written proof (e.g. letters, emails, document receipts, etc.) to support my petition, but I understand that I am not required to do so.*

**In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:**

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings for a formal hearing within 15 days after receipt of the Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department. I have attached documentary mitigating evidence, which I would like to be considered as I engage in settlement negotiations with the Department.

**THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.**

\_\_\_\_\_  
Respondent/Dealer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Respondent/Dealer Printed Name

**STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**DEPARTMENT OF HIGHWAY SAFETY  
AND MOTOR VEHICLES,**

**Petitioner,**

v.

**Case No.: MS-22-008**

**License No.: VI-1133073**

**VROOM AUTOMOTIVE LLC.,  
Respondent.**

**ATTACHMENT A**

**SETTLEMENT AGREEMENT**

Respondent, hereby enters into this settlement agreement pursuant to section 120.57(4), Florida Statutes, to resolve all administrative charges referenced in the Administrative Complaint for case number MS-22-008, in accordance with the following terms.

1. Respondent enters into this agreement freely and without undue influence, and with the knowledge that doing so constitutes a waiver of the right to an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes.

2. Respondent understands and agrees that Respondent shall pay a civil fine in the amount of Five Hundred dollars (\$500.00) for **each count contained in the Administrative Complaint**, for a total of Twenty-Three Thousand Five Hundred dollars (\$23,500.00).

3. The civil fine in the full amount of Twenty-Three Thousand Five Hundred dollars (\$23,500.00) will be due and payable to the Department within fifteen (15) calendar days from the date of the filing of a final order with the agency clerk with the Department adopting and incorporating this settlement agreement.

4. Respondent understands and agrees that if Respondent fails to pay the civil fine within the allotted timeframe set forth in paragraphs 2 and 3, the Department may suspend the Respondent's license until payment has been made.

5. Respondent further understands and agrees that the Final Order adopting this agreement will become part of the Department's permanent record.

6. Respondent agrees to bear its own attorney's fees and costs arising from this matter.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Vroom Automotive LLC  
Paul Hennessy  
Respondent

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Ed Broyles  
Chief  
Bureau of Dealer Services  
Dept. of Highway Safety & Motor Vehicles

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
SENA LIZENBEE  
Acting Chief Counsel  
Dept. of Highway Safety & Motor Vehicles

**STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**VROOM AUTOMOTIVE LLC.,**

**Petitioner,**

v.

**Case No.: MS-22-008**

**License No.: VI-1133073**

**DEPARTMENT OF HIGHWAY SAFETY  
AND MOTOR VEHICLES,**

**Respondent.**

**ATTACHMENT B**

**PETITION FOR HEARING**

**INSTRUCTIONS: You must fill out each of the paragraphs below or your petition may be dismissed pursuant to section 120.569, Florida Statutes. You may attach additional sheets to this petition as needed.**

Petitioner, by and through the undersigned representative, files this Petition for Hearing and states:

1. I have read the Department's Administrative Complaint filed in this matter and understand my options.

2. I received notice of the agency's action on the following date and in the following manner: \_\_\_\_\_

3. My substantial interests will be affected by the agency's decision in the following manner: \_\_\_\_\_

4. I dispute the following issues of material fact (if you do not dispute issues of material fact and this petition is for a s. 120.57(2), Fla. Stat., informal hearing, state "none"): \_\_\_\_\_

5. I allege the following facts related to the administrative action, including the specific facts, as follow, that warrant reversal or modification of the agency's proposed action: \_\_\_\_\_

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6. I allege the following specific rules or statutes require reversal or modification of the agency's proposed action, and state here how the alleged facts, as detailed in 5., above, relate to the specific rules and statutes:

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7. I seek the following relief from the agency with respect to the proposed agency action:

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8. The following people may be contacted about this administrative matter:

\_\_\_\_\_  
OFFICER OF COMPANY

\_\_\_\_\_  
ATTORNEY OR  
QUALIFIED REPRESENTATIVE (if any)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address (where service shall be made)

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Facsimile Number (if any)

\_\_\_\_\_  
Facsimile Number (if any)

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
E-mail

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signed \_\_\_\_\_

Name \_\_\_\_\_

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Att  
or

1. Arti

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

- Agent  
 Addressee

C. Date of Delivery

Paul Hennessy  
**VROOM AUTOMOTIVE LLC**  
2103 Citywest Boulevard, Suite 1100  
Houston, Texas 77042

item 1?  Yes  
elow:  No



9590 9402 5909 0049 7505 10

2. Article Number (Transfer from service label)

7020 3160 0001 1673 3040

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

d Delivery

(over \$500)

USPS TRACKING #



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Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 5909 0049 7505 10

United States  
Postal Service

Customer Please print your name, address, and ZIP+4® in this box.

Florida Department of Highway Safety &  
Motor Vehicles  
Office of the General Counsel / Attn: Hooker-Almeda  
2900 Apalachee Parkway, MS-2  
Tallahassee, Florida 32399-0500

VI-1133073 - MS-22008

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Paul Hennessy  
**VROOM AUTOMOTIVE LLC**

2103 Citywest Boulevard, Suite 1100  
Houston, Texas 77042

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Total Postage and Fees

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