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MEMORANDUM

To: Ruben P. Gonzalez
From: Aurelio Arias
Date: November 12, 2019
Subject: Flash Auto/ Ivan Nino

During the month of October 2018, the Investigator Arias was informed about a complaint generated on a Full Service Deputy (Private Office) that conducts motor vehicle title work and registrations. The complaint was forwarded to Arias by Director Sergio Garcia. The Deputy Office is Flash Auto located at 1050 Sunland Park Drive.

On 10-5-2018, Investigator Arias contacted the person that had reported the complaint, a Refugio Lopez, who said over the phone that he bought a permanent handicap placard for his son and paid \$10.00. Mr. Lopez agreed to meet with Investigator Arias the following week to provide a statement on the incident. Mr. Lopez never showed up for his appointment and never called to re-schedule.

As there was no response from Lopez, the investigators proceed to conduct an audit of 30 day permits from Flash Auto. The basic process was to review the receipts of the permits for the Month of January 2019. Once all the receipts were reviewed, the Investigators then communicated with the citizens who purchased the permits.

It was during this time frame that the Investigators determined that there was one citizen who claimed that he was overcharged for a permit. The citizen stated that the he was charged \$50 for a \$30 dollar permit. The citizen, Manuel Balderama, provided a statement where he further explained that he thought that it was unusual that he was charged \$50.00 for a permit on his Ford Focus where he normally would paid \$29.75. At this point a criminal case was generated for investigation. The official criminal charge would be Deceptive Business Practice.

Upon reviewing the receipts and based on the description provided by the two citizens, the Investigators developed, Ivan Nino, as a suspect in the case. Nino worked at Flash Auto. A photo line-up was developed to include Nino as the suspect. When the line-up was shown to Citizen Lopez, he was unable to identify Suspect Nino. After several attempts to show the line-up to Citizen Balderama, he never arrived to review the line-up.

Sometime in November 2019, Mr. Balderama contacted Investigator Arias and was able to meet with Arias to review the photo line-up. It was at this time that Witness Balderama positively identified Nino as the person that had overcharged him and kept the funds.

During an audit of the Registration Title Systems (RTS) inquires conducted in September 2019, it was discovered that a new employee by the name of Rosa A. Varela conducted a large amount of inquiries in the RTS totaling 66 inquiries. This is an unusual amount of inquiries in a short amount of time. Varela was a new-hire at Flash Auto at the time of this audit. Investigators of the Enforcement section reviewed the County copies of the transactions during the same time frame. There was only one transaction during the same time frame as inquiries that were conducted. This information was presented to Admin. Service Manager Melissa Frescas as she believed that there could be an issue with Varela. Varela worked for a towing company who had presented some questionable mechanic's lien to the tax office where the towing company was consistently found as the only entity awarded the bid on vehicles from its own auction.

After conferring with Manager Frescas, she explained that there was a possible glitch with these inquiries. This issue was to be discussed with TX DMV Manager Charlie Escobedo.

Investigator Arias asked Freddy Acosta, Owner of Flash Auto, about employee Rosa Varela but did not mention the inquiries. Acosta expressed that Varela had resigned stating that the distance to work was too long for her from her commute home.

There were also a couple of transactions that were in question that were also linked to Flash Auto. These two incidents did not meet the standard of proof to be categorized as a crime.

One case involved a title from Arizona in which the person sought the services of an unnamed Independent Title Service Runner. This person wanted to title and register the vehicle in Texas and when the Independent Title Service Runner explained to him that the steps were to go through a bonded title, the person refused and took his paperwork to Flash Auto where it was processed without going through the bonded title steps.

There was a similar case where a person who was a former dealer was trying to title a vehicle but had possibly underreported the amount that the vehicle had been purchased for.

On December 26, 2019, the Investigators De Luna, Lopez and Arias met with Texas DMV Field Service Representative Olivia Mendez to report the listed incidents to Ms. Mendez. She explained that she would start conducting audits and would report back to the investigators.