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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING

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PA. DEPT OF BANKING

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DEPARTMENT OF BANKING, BUREAU OF
COMPLIANCE, INVESTIGATION AND
LICENSING,

v.

CHRYSLER FINANCIAL SERVICES
AMERICAS, LLC. ("Chrysler Financial")

DOCKET 160239 (ENF-CO)

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking, (the "Department"), Bureau of Compliance, Investigation and Licensing (the "Bureau"), believes that Chrysler Financial may have operated in violations of the Motor Vehicle Sales Finance Act (the "MVSFA"); 69 P.S. § 601 et seq. Chrysler Financial neither admits nor denies that a violation may have occurred. The parties to the above captioned matter, in lieu of litigation, hereby stipulate that the following statements are true and correct in the above-captioned matter and, intending to be legally bound, hereby agree to the terms of this Consent Agreement and Order (the "Order").

BACKGROUND

1. The Department is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce the MVSFA.
2. The Bureau is primarily responsible for administering and enforcing the MVSFA for the Department.

3. As of April 15, 2009, Chrysler Financial is licensed as an Installment Seller, License No. 21169 and prior to April 15, 2009 it was licensed as an Installment Seller, License No. 15829, under the MVSFA .

4. Chrysler Financial or its successors, have been licensed as a Sales Finance Company under the MVSFA for many years, and is currently so licensed, License No. 14284.

5. On or around October 29, 2007, Chrysler Financial moved its business from Horsham, PA to its current address in Chalfont, PA (the "Chalfont Location").

6. Section 8.C. of the MVSFA provides, in relevant part, that "[a] licensee may change his place of business to another location within the same municipality for which the license certificate was issued. A licensee desiring to change the address of his place of business shall give prior written notice thereof to the department and shall return the license certificate to the department for amendment. The department shall amend the license certificate to show the new address and the date, thereof, which shall thereafter be the authorized address of the licensee. . . ." 69 P.S. § 608.C.

7. Chrysler Financial inadvertently failed to give written notice to the Department of the address change to the Chalfont Location.

8. Section 4.D. of the MVSFA provides, in relevant part, that "[a] separate application, on the prescribed form, shall be filed for each place of business conducted by or to be established by a licensee within the Commonwealth of Pennsylvania." 69 P.S. § 604.D.

9. Section 37.1 of the MVSFA grants the Department the authority to issue orders as may be necessary for the enforcement of the MVSFA. 69 P.S. § 637.1.

FINDINGS

10. Chrysler Financial's inadvertent failure to notify the Department of its change of address was not consistent with the requirements set forth in Section 4. D. and 8.C, of the MVSFA.

CONSIDERATIONS

11. The parties agree that the issues set forth in this Consent Agreement and Order can be expeditiously resolved without the expense of litigation and a formal hearing.

12. Upon realizing that its Installment Seller License was issued for its previous Pennsylvania location, Chrysler Financial, acting in good faith, promptly notified the Department of the address error and arranged to have a corrected license issued.

13. The Department granted Chrysler Financial an Installment Seller License at the corrected address.

14. The Department agrees that any MVSFA violation that may have occurred as a result of Chrysler Financial being licensed at a Horsham, PA address, rather than a Chalfont, PA address, prior to April 15, 2009 is remedied upon receipt of the payment set forth in section 15 above and the entering of this Order; accordingly, the Department agrees that it shall take no further action nor impose any additional penalty related thereto.

RELIEF

15. Civil Penalty. Within thirty (30) days of the Effective Date of this Order, Chrysler Financial shall pay to the Department a fine in the amount of ten thousand dollars (\$10,000). Payment shall be remitted by certified check or money order to be made payable to the "Department of Banking" and shall be sent to the attention of the Bureau of Compliance, Investigation and Licensing at 17 North Second Street, Suite 1300, Harrisburg, PA 17101.

FURTHER PROVISIONS

16. Consent. Chrysler Financial hereby knowingly, willingly, voluntarily and irrevocably consent to the entry of this Order pursuant to the Bureau's order authority under the MVSFSA, and agrees that it understands all of the terms and conditions contained herein. Chrysler Financial, by voluntarily entering into this Order, waives any right to a hearing or appeal concerning the terms, conditions and/or penalties set forth in this Order.

17. Consumer's Rights. This Order shall not limit or impair a consumer's rights under Section 35 of the MVSFSA. 69 P.S. § 635.

18. Publication. The Department will publish this Order pursuant to its authority in Section 302.A.(5) of the Department of Banking Code. 71 P.S. § 733-302.A.(5).

19. Entire Agreement. This Order contains the whole agreement between the parties. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kind whatsoever concerning this Order. This Order may be amended in writing by mutual agreement by the Bureau and Chrysler Financial.

20. Binding Nature. The Department, Chrysler Financial, and all officers, owners, directors, employees, heirs and assigns of Chrysler Financial intend to be and are legally bound by the terms of this Order.

21. Counsel. This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

Effectiveness. Chrysler Financial hereby stipulates and agrees that the Order shall become effect on the date that the Bureau executes the Order ("the Effective Date").

22. Other Enforcement Action.

a) The Department reserves all of its rights, duties, and authority to enforce all statutes, rules and regulations under its jurisdiction against Chrysler Financial in the future regarding all matters not resolved by this Order.

b) Chrysler Financial acknowledges and agrees that this Order is only binding upon the Department and not any other local, state or federal agency, department or office regarding matters within this Order.

23. Authorization. The parties below are authorized to execute this Order and legally bind their respective parties.

24. Counterparts. This Order may be executed in separate counterparts and by facsimile.

25. Titles. The titles used to identify the paragraphs of this document are for convenience of reference only and do not control the interpretation of this document.

WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Department and Chrysler Financial intending to be legally bound, do hereby execute this Consent Agreement and Order.

FOR THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING, BUREAU OF COMPLIANCE,
INVESTIGATION AND LICENSING

John Talalai, Administrator
Bureau of Compliance,
Investigation and Licensing
Department of Banking

Date: 12-22-2009

FOR CHRYSLER FINANCIAL SERVICES AMERICAS, LLC

(Signature)

Wendy E. Stone
(Print Name)

Assistant General Counsel
(Title)

Date: December 22, 2009