

3. Yough Lake Motor Sports is a Pennsylvania Business Corporation located at 5316 National Pike, Markleysburg, PA 15459.

4. On October 1, 2011, Yough Lake Motor Sports' installment seller license, license number 31229, with the Department expired because it did not renew its license.

5. Yough Lake Motor Sports did not apply for and receive another installment seller license from the Department until October 25, 2011, license number 36058.

6. On August 27, 2012, an examiner from the Department commenced an examination of Yough Lake Motor Sports at its principal place of business.

VIOLATION

7. During the examination, the examiner found that Yough Lake Motor Sports entered into three (3) installment sale contracts between October 1, 2011 and October 25, 2011, a period in which Yough Lake Motor Sports did not maintain an installment seller license with the Department.

8. Section 4.1 of the MVSFA provides, in relevant part, states: "no person shall engage or continue to engage in this Commonwealth either as principal, employe, agent or broker . . . [i]n the business of an installment seller of motor vehicles under installment sale contracts, except as authorized in this act, under license issued by the department. . . ." 69 P.S. § 604.1.

9. By continuing to engage in the business of an installment seller of motor vehicles under installment sale contracts while not licensed by the Department, Yough Lake Motor Sports violated Section 4.1 of the MVSFA.

10. Due to Yough Lake Motor Sports' violations, the Department has the authority to issue an order and impose a "civil penalty" of not more than \$2,000 "for each offense." See 69 P.S. §§ 637.D, 637.1.

RELIEF

11. Fine. Within thirty days (30) of the Effective Date of this Order as defined below in paragraph 19, Yough Lake Motor Sports agrees to pay the Department a fine in the amount of three hundred dollars (\$300). The payment shall be remitted by certified check or money order made payable to the Pennsylvania Department of Banking and Securities, and sent to the attention of: Pennsylvania Department of Banking and Securities, Non-Depository Institutions, Bureau of Compliance and Licensing, 17 N. 2nd Street, Suite 1300, Harrisburg, PA 17101.

12. Corrective Action. Yough Lake Motor Sports shall not engage in the business of an installment seller in Pennsylvania unless it is licensed by the Department as an installment seller.

FURTHER PROVISIONS

13. Consent. Yough Lake Motor Sports hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Bureau's order authority under the MVSFA and agrees that it understands all of the terms and conditions contained herein. Yough Lake Motor Sports, 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.

14. Consumer Rights. This Order shall not limit or impair consumers' rights provided by Section 35 of the MVSFA. See 69 P.S. § 635.

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

16. 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 Yough Lake Motor Sports.

17. Binding Nature. The Department, Yough Lake Motor Sports, and all officers, owners, directors, employees, heirs and assigns of Yough Lake Motor Sports intend to be and are legally bound by the terms of this Order.

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

19. Effectiveness. Yough Lake Motor Sports hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes this Order.

20. 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 Yough Lake Motor Sports in the future regarding all matters not resolved by this Order.

b. Yough Lake Motor Sports 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.

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

22. Counterparts. This Order may be executed in separate counterparts and by facsimile or electronic mail in portable document format known as "PDF."

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

WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Commonwealth of Pennsylvania, Department of Banking and Securities, Bureau of Compliance and Licensing and Yough Lake Motor Sports intending to be legally bound, do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF
PENNSYLVANIA DEPARTMENT OF
BANKING AND SECURITIES
BUREAU OF COMPLIANCE AND
LICENSING**

**FOR LAWRENCE HARTMAN, JR.,
INC. d/b/a YOUGH LAKE MOTOR
SPORTS**

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

Date: 11/14/2012

(Officer Signature)

LAWRENCE HARTMAN JR.

(Print Officer Name)

Presd.

(Title)

Date: 11-17-12