

and, if a hearing is scheduled, the date, time and location of the hearing. You have the right to be represented by an attorney.

All procedural matters will be governed by the Pennsylvania Administrative Agency Law, 2 Pa. C.S. §§501-508, 701-704, and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§31.1.-35.251.

WHEREAS, Unique Motors had revealed to the Bureau in its new application application that it had originated seven installment sale contracts between October 1, 2009 and March 7, 2010; and

WHEREAS, Unique Motors was in violation of the MVSFSA because it engaged in the business of an installment seller without the proper license; *see* 69 P.S. § 604(1); and

WHEREAS, Unique Motors signed a consent agreement and order on August 20, 2010, in which it agreed to pay a fine of \$700 for the unlicensed activity; *see* 69 P.S. § 637.1; and

WHEREAS, on January 6, 2012, the Department conducted an examination at Unique Motors; and

WHEREAS, during the course of that examination, an examiner determined that Unique Motors had actually entered into an additional 103 installment contracts between October 1, 2009 and March 7, 2010, when it was not properly licensed; and

WHEREAS, Unique Motors was in violation of the MVSFSA because it engaged in the business of an installment seller without the proper license; *see* 69 P.S. § 604(1); and

WHEREAS, the Bureau entered into another consent agreement and order with Unique Motors effective October 2, 2012; and

WHEREAS, Unique Motors agreed to pay a fine of \$10,300 in 19 monthly installments beginning on September 1, 2012 with a payment of \$1,300, followed by 18 monthly payments of \$500, with the last payment due by May 1, 2014; and

WHEREAS, Unique Motors made the first payment of \$1,300 in September of 2012; and

WHEREAS, Unique Motors has failed to send any additional payments as agreed upon in the October 2, 2012 consent agreement and order; and

WHEREAS, the Bureau attempted on several occasion to contact Unique Motors leaving messages on the company's voicemail and with the company's secretary, and through email without any return contact; and

WHEREAS, a collection notice was sent to Unique Motors on January 4, 2013 requesting remittance of the past due payments; and

WHEREAS, Unique Motors failed to respond to the collection notice; and

WHEREAS, an email was sent on May 13, 2013, as a final demand for payment of past due payments agreed upon in the October 2, 2012 consent agreement and order, to the email address of record for Unique Motors; and

WHEREAS, this email was not returned as undeliverable; and

WHEREAS, Unique Motors did not respond to the May 13, 2013 email; and

WHEREAS, of the date of this Suspension Order, Unique Motors has failed to make any of the remaining payments agreed upon in the October 2, 2012 consent agreement and order; and

WHEREAS, the Department, upon 30 days' written notice, may revoke or suspend any license where "[t]he licensee has failed to comply with any demand, rule or regulation lawfully made by the department under and within the authority of this act." 69 P.S. § 610(A)(4); and

AND NOW THEREFORE, because Unique Motors, has violated the MVSA by failing comply with the Consent Order, the Bureau under the authority cited above, hereby imposes the following Order. **Thirty (30) days** from the effective date of this Order,¹ Unique Motors' license is hereby **SUSPENDED** until: 1) the license expires, 2) Unique Motors remits payment as provided in the Consent Order in full, or 3) becomes current in payments outlined in the Consent Order, by certified check or money order to the following address:

¹ This Order is effective on the thirtieth day of the date it is executed below, if no petition for hearing is timely filed. If a petition for hearing is timely filed, the Order will become effective on the date upon which a final order is issued.

John Talalai, Administrator
Bureau of Compliance and Licensing
Pennsylvania Department of Banking and Securities
17 N. Second Street, Suite 1300
Harrisburg, PA 17101

Because Unique Motors' license will be suspended as of the thirty-first day following the effective date of this Suspension Order, it shall not, in any way, engage in the installment seller business in this Commonwealth, as defined in the MVSFA, until it receives notice that the Department has reinstated its license. Unique Motors' license shall be reinstated upon receipt of payment in full or when it becomes current on payments. So as to prevent harm to consumers, Unique Motors shall be permitted to process loans from consumers that submitted loan applications to Unique Motors prior to the suspension commencing. Unique Motors shall not be permitted to advertise, meet with new Pennsylvania consumers or otherwise accept any new Pennsylvania installment seller business during the suspension. Unique Motors shall post a notice on its website that its Pennsylvania license is suspended and that it is not currently taking any new Pennsylvania applications. One day prior to the suspension commencing, Unique Motors shall provide to the Bureau a report (the "Pipeline Report") with the following categories of loans:

- a. loans that have closed, but have not yet funded;
- b. loans that have been approved but that have not closed; and
- c. applications that have been received, but no decision has been made on approving the applications.

The Pipeline Report shall include the following information:

- (i) the name, address and telephone number of the applicant;
- (ii) the status of the loan.

The Pipeline Report shall be sent via email to John Talalai

The loans listed

on the Pipeline Report are the only loans Unique Motors may process during its suspension to prevent harm to consumers.

Nothing in this Order shall prevent the Bureau from taking any further administrative action as deemed necessary for the enforcement of the MVSFSA.

IT IS SO ORDERED.

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

Dated: 6-3-2013

FILED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES JUN -3 AM 10:34

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND
SECURITIES, BUREAU OF COMPLIANCE
AND LICENSING

DEPARTMENT OF BANKING AND SECURITIES

v.

Docket No.: 13 0041 (BNK-ORD)

UNIQUE MOTORS, INC.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Order upon the parties below, who constitute the only parties of record in this proceeding, in accordance with the requirements of 1 Pa. Code §§ 33.35, 33.36 and 33.37::

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED,
AND FIRST CLASS MAIL:

Unique Motors, Inc.
4530 Torresdale Ave.
Philadelphia, PA 19124

Dated: June 3, 2013

Sharon M. Williams
Assistant Counsel
Attorney ID #: 207545
Commonwealth of Pennsylvania
Department of Banking and Securities
17 N. 2nd St., Ste 1300
Harrisburg, PA 17101-2290
Telephone: (717) 787-1471
Fax: (717) 783-8427