

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING AND SECURITIES

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

v.

MATT-BRI, INC.

PA DEPARTMENT OF  
BANKING AND SECURITIES

Docket No. 14 0044 (BNK-CAO)

**CONSENT AGREEMENT AND ORDER**

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities ("Department"), Bureau of Compliance and Licensing ("Bureau"), has reviewed the business practices of Matt-Bri, Inc., and its officers, employees and directors. Based on the results of its review, the Bureau concludes that Matt-Bri, Inc. operated in violation of the Motor Vehicle Sales Finance Act ("MVSEFA"), 69 P.S. § 601 *et seq.* The parties to the above-captioned matter, in lieu of litigation, hereby stipulate that the following statements are true and correct in the settlement of the above-captioned matter and, intending to be legally bound, hereby agree to the terms of this Consent Agreement and Order ("Order").

**BACKGROUND**

1. The Department is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce the Motor Vehicle Sales Finance Act.
2. The Bureau is primarily responsible for administering and enforcing the MVSEFA for the Department.
3. Matt-Bri, Inc. is a Pennsylvania business corporation located at 600 South Flowers Mill Road, Langhorne, PA 19407.

Unlicensed Period

4. The Department licensed Matt-Bri, Inc. as an installment seller, license number 2960.
5. The MVSFA requires installment sellers to submit a yearly renewal license application to the Department at least fifteen (15) days prior to October 1 of each year. 69 P.S. § 605.
6. In 2002, Matt-Bri, Inc. neglected to timely submit a license renewal application for license number 2960 resulting in cancellation of the license on October 1, 2002 by the Department. 69 P.S. §§ 605, 607D.
7. The MVSFA requires anyone engaging in the “business of an installment seller of motor vehicles under installment sales contracts” to first obtain an installment seller license from the Department. 69 P.S. §§ 604, 604(1).
8. In 2014, Matt-Bri, Inc. discovered its neglect, and the fact that it no longer possessed an installment seller license from the Department.
9. Immediately subsequent to the discovery, Matt-Bri, Inc. submitted an application for an installment seller license on August 20, 2014.
10. Matt-Bri, Inc. engaged in numerous installment sales between the cancellation of the prior license and the submission of its Application on August 20, 2014.
11. Matt-Bri, Inc. cooperated fully with the Department.
12. The Department issued Matt-Bri, Inc. an installment seller license, number 47681, on August 20, 2014.

### Authority of the Department

13. 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.

14. Section 604 of the MVSFA provides: "On and after the effective date of this act no person shall engage or continue to engage in this Commonwealth either as principal, employee, agent or broker; (1) in the business of an installment seller of motor vehicles under installment sales contracts, except as authorized in this act, under license issued by the department. . ."

15. Section 637(D) of the MVSFA provides that "[a]ny person required to be licensed under this act that violates this act or directs a violation or who engages in any activity for which a license could be suspended or revoked under section 10 shall be subject to a civil penalty levied by the department of not more than two thousand dollars (\$2,000) for each offense." 69 P.S. § 637(D).

### **VIOLATION**

16. Matt-Bri, Inc. was in violation of Section 604(1) of the MVSFA by engaging in the business of an installment seller while unlicensed. 69 P.S. § 604(1).

### **RELIEF**

17. Fine. Matt-Bri, Inc. agrees to pay a fine of seventy-five thousand dollars (\$75,000) which shall be payable to the Department in twenty-four monthly payments of three thousand one hundred twenty-five dollars (\$3,125) each. The first payment is due within thirty (30) days of the Effective Date as defined below in paragraph 25 of this Order, with the remaining monthly payments due accordingly. The fine payment shall be remitted by certified check or money order

made payable to the "Department of Banking" and sent to the attention of: Bureau of Compliance and Licensing, 17 N. 2nd Street, Suite 1300, Harrisburg, PA 17101.

18. Corrective Measures. Matt-Bri, Inc. shall not engage in the business of installment sales if at any time it should become unlicensed.

#### FURTHER PROVISIONS

19. Consent. Matt-Bri, Inc. 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. Matt-Bri, Inc., 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.

20. Publication and Release. Matt-Bri, Inc. consents to the publication and release of this Order.

21. Consumer Rights. This Order shall not limit or impair a consumer's rights under the MVSFA. 69 P.S. § 635.

22. 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 Matt-Bri, Inc.

23. Binding Nature. The Department, Matt-Bri, Inc., and all officers, owners, directors, employees, heirs and assigns of Matt-Bri, Inc. intend to be and are legally bound by the terms of this Order.

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

25. Effectiveness. Matt-Bri, Inc. hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes the Order (the "Effective Date").

26. 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 Matt-Bri, Inc. in the future regarding all matters not resolved by this Order.

b. Matt-Bri, Inc. 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.

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

28. Counterparts. This Order may be executed in separate counterparts, by facsimile, and by PDF.

29. 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 Department and Matt-Bri, Inc., of Langhorne, Pennsylvania, 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**

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

Date: 10/21/2014

**FOR MATT-BRI, INC.**

[Signature]  
(Officer Signature)

BRIAN S. BENTLEY  
(Print Officer Name)

Pres.  
(Title)

Date: 10/16/2014