

Unlicensed Period

4. Under the CCC, anyone engaging in the business of an installment seller of motor vehicles under installment sales contracts needs a license issued by the Department. 12 Pa. C.S. § 6211(a)(1).

5. Under the CCC, installment sellers must submit a yearly renewal license application to the Department at least 15 days prior to October 1 of each year. 12 Pa. C.S. § 6216.

6. The Department licensed LeBoeuf as an installment seller, license number 40127 through September 30, 2015.

7. LeBoeuf failed to timely submit a license renewal application for license number 40127 by the October 1, 2015 deadline.

8. The Department canceled license number 40127 effective October 1, 2015. 12 Pa. C.S. § 6211(b)(2).

9. LeBoeuf submitted a new application for an installment seller license on or around December 10, 2015.

10. Upon receiving and reviewing the new application, the Department discovered that LeBoeuf entered into six installment sale contracts between October 1, 2015 and December 10, 2015.

11. The Department approved LeBoeuf's new application and issued installment seller license number 54153 effective December 21, 2015.

12. LeBoeuf was not licensed as an installment seller when it entered into the six installment contracts.

VIOLATION

13. LeBoeuf violated Section 6211(a) of the CCC when it engaged in the business of an installment seller while unlicensed. 12 Pa. C.S. § 6211(a)(1).

Authority of the Department

14. The CCC grants the Department the authority to issue orders as may be necessary for the enforcement of the CCC. 12 Pa. C.S. § 6203(a)(5).

15. Section 6218 of the CCC states that the Department may revoke or suspend any license where the licensee violated a provision of this chapter. 12 Pa. C.S. § 6218(a)(2).

16. Section 6274 of the CCC provides that “[a] person required to be licensed under this chapter that violates this chapter, directs a violation of this chapter or engages in an activity for which a license could be suspended or revoked under section 6218 (relating to revocation or suspension of license) shall be subject to a civil penalty levied by the department of not more than \$2,000 for each offense.” 12 Pa. C.S. § 6274.

RELIEF

17. Fine. LeBoeuf agrees to pay a fine of \$600. The fine will be due within thirty (30) days of the Effective Date of the Order as defined in paragraph 25 below. The fine payment shall be remitted by certified check or money order made payable to the “Department of Banking and Securities” and sent to the attention of Department of Banking and Securities, Compliance Office, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101-2290.

18. Corrective Action. Upon the Effective Date of this Order, LeBoeuf shall not engage in the business of an installment seller in Pennsylvania unless it is licensed.

FURTHER PROVISIONS

19. Consent. LeBoeuf hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Bureau’s order authority under the CCC and agrees that it understands all of the terms and conditions contained herein. LeBoeuf, 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. Consumer's Rights. This Order shall not limit or impair a consumer's rights under CCC. 12 Pa. C.S. § 6236.

21. 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).

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 LeBoeuf.

23. Binding Nature. The Department, LeBoeuf, and all officers, owners, directors, employees, heirs and assigns of LeBoeuf 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. LeBoeuf hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes this Order ("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 LeBoeuf in the future regarding all matters not resolved by this Order.

b. LeBoeuf 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 and by facsimile or electronic mail in portable document format "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 of Banking and Securities, Compliance Office and LeBoeuf Auto Sales, LLC, intending to be legally bound do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
BANKING AND SECURITIES,
COMPLIANCE OFFICE**

FOR LEBOEUF AUTO SALES, LLC

Redacted

Ryan Walsh, Director
Compliance Office
Department of Banking and Securities

Date: January 15, 2016

Redacted
(Officer's Signature)

SHAWN R. McWILLIAMS
(Print Officer Name)

OWNER / PRESIDENT
(Title)

Date: 1/12/2016