

4. The Office is primarily responsible for administering and enforcing the CCC for the Department.

5. Big Mike's AutoRama's principal place of business is located at 3840 Crooked Run Road, North Versailles, PA 15137-2358.

Unlicensed Period

6. 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).

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

8. The Department licensed Big Mike's AutoRama as an installment seller, license no. 35014 through September 30, 2015.

9. Big Mike's AutoRama failed to timely submit a license renewal application for license no. 35014 by the October 1, 2015 deadline.

10. The Department canceled license no. 35014 effective on October 1, 2015. 12 Pa. C.S. § 6211(b)(2).

11. During an examination of Big Mike's AutoRama, the Department discovered that Big Mike's AutoRama entered into seven (7) installment sale contracts from October 1, 2015 through the time of the examination.

12. Big Mike's AutoRama does not wish to apply for a new installment seller license.

13. Big Mike's AutoRama was not licensed to enter into installment contracts when it entered into the seven (7) installment contracts after the cancellation of license no. 35014.

14. Because the Department canceled license no. 35014, the CCC prohibited Big Mike's AutoRama from engaging in the Commonwealth as an installment seller without first obtaining an installment seller license from the Department. 12 Pa. C.S. § 6211(a)(1).

Authority of the Department

15. 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).

16. 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).

17. 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.

VIOLATION

18. Big Mike's AutoRama 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).

RELIEF

19. Fine. Big Mike's AutoRama agrees to pay a fine of seven hundred dollars (\$700). The fine shall be paid in three (3) monthly payments. The first payment of two hundred dollars (\$200) is due within thirty (30) days of the Effective Date of the Order as defined in paragraph 27 below. The remaining two payments of two hundred fifty dollars (\$250) each will be due each thirty (30) days thereafter until the fine is completely paid. 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. 2nd Street, Suite 1300, Harrisburg, PA 17101-2290.

20. Corrective Action. Upon the Effective Date of this Order, Big Mike's AutoRama shall not engage in the business of an installment seller in Pennsylvania unless it is licensed.

FURTHER PROVISIONS

21. Consent. Big Mike's AutoRama 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. Big Mike's AutoRama, 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.

22. Consumer's Rights. This Order shall not limit or impair a consumer's rights under CCC. 12 Pa. C.S. § 6236. (69 P.S. § 635).

23. 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).

24. 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 Big Mike's AutoRama.

25. Binding Nature. The Department, Big Mike's AutoRama, and all officers, owners, directors, employees, heirs and assigns of Big Mike's AutoRama intend to be and are legally bound by the terms of this Order.

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

27. Effectiveness. Big Mike's AutoRama hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes this Order ("Effective Date").

28. 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 Big Mike's AutoRama in the future regarding all matters not resolved by this Order.

b. Big Mike's AutoRama 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.

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

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

31. 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.

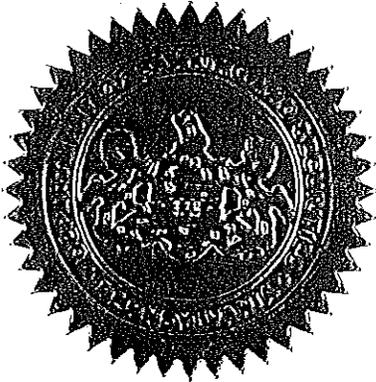
WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Department of Banking and Securities, Compliance Office and Big Mike's AutoRama LLC intending to be legally bound do hereby execute this Consent Agreement and Order.

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

Redacted

John Talalai, Administrator
Compliance Office
Department of Banking and Securities

Date: 5-30-16



FOR BIG MIKE'S AUTORAMA LLC

Redacted

(Officer Signature)

DAVID VICKERS
(Print Officer Name)

OWNER
(Title)

Date: 5-25-16