

2. The Bureau is primarily responsible for administering and enforcing the MVSFSA for the Department.

3. Hanover Auto is a Pennsylvania Business Corporation located at 301 East Hamilton Street, Allentown, Pennsylvania 18109-2531 ("Principal Place").

4. The Department conducted an examination ("Examination") of Hanover Auto on June 1, 2010 at the Principal Place.

5. During the Examination, the Bureau discovered that Hanover Auto entered into an installment sale while unlicensed by the Department.

Unlicensed Period

6. The Department licensed Hanover Auto as an Installment Seller, license no. 19576 from April 21, 2008 through September 30, 2008.

7. The MVSFSA requires anyone engaging in the business of an installment seller of motor vehicles under installment sales contracts to be licensed by the Department. 69 P.S. § 604.

8. The MVSFSA 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.

9. Hanover Auto failed to timely submit a license renewal application for license no. 19576 and the Department cancelled License No. 19576 on October 1, 2008. 69 P.S. § 605, 609 P.S. § 607D.

10. Upon receiving and reviewing Hanover Auto's new license application, the Department granted Hanover Auto a new Installment Seller license, license no. 20285 on November 10, 2008.

11. During the Examination the Bureau discovered that between October 1, 2008 and November 10, 2008, Hanover Auto entered into one (1) installment sale while unlicensed by the Department.

12. Because the Department cancelled license no. 19576, the MVSFA prohibited Hanover Auto from engaging in the "business of an installment seller of motor vehicles under installment sales contracts" without first obtaining an installment seller license from the Department. 69 P.S. § 604(1).

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 610(A)(2) of the MVSFA states that the Department may revoke or suspend any license where "[t]he licensee has violated any provision of this act." 69 P.S. § 610(A)(2).

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. Hanover Auto is 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. Hanover Auto agrees to pay a fine of one hundred dollars (\$100) which shall be due and payable to the Department within thirty (30) days of the Effective Date of this Order. 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, Investigation and Licensing, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101.

18. Corrective Measures. Upon the effective date of the Order, Hanover Auto shall not engage in the business of installment sales if at any time it should become unlicensed.

FURTHER PROVISIONS

19. Consent. Hanover Auto 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. Hanover Auto, 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. Hanover Auto 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 Hanover Auto.

23. Binding Nature. The Department, Hanover Auto, and all officers, owners, directors, employees, heirs and assigns of Hanover Auto 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. Hanover Auto 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 Hanover Auto in the future regarding all matters not resolved by this Order.

b. Hanover Auto 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 Jarrah Motors, LLC d/b/a Hanover Auto Sales intending to be legally bound do hereby execute this Consent Agreement and Order.

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

John Tatalai, Administrator
Bureau of Compliance,
Investigation and Licensing
Department of Banking

Date: 5-3-2011

FOR JARRAH MOTORS, LLC d/b/a HANOVER AUTO SALES

(Officer Signature)

(Print Officer Name)

Member
(Title)

Date: 04/26/11

