

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING



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

v.

INTERNATIONAL AUTOMOTIVE
SERVICES, INC.
d/b/a SOCIETY HILL MOTORS

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DOCKET No. 12 0052 (ENF-CO)

DEPARTMENT OF BANKING
COMPLIANCE DIVISION

PA. DEPT. OF BANKING

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FILED

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking (“Department”), Bureau of Examinations, has conducted an examination of International Automotive Services, Inc. d/b/a Society Hill Motors (“International Automotive Services”), and its officers, employees and directors. Based on the results of the examination, the Bureau of Compliance and Licensing (“Bureau”) concluded that International Automotive Services operated in violation of the Motor Vehicle Sales Finance Act (“MVSFA”), 69 P.S. § 601 et seq. The parties to the above captioned matter, in lieu of litigation, and without admission of wrongdoing, 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 MVSFA.
2. The Bureau is primarily responsible for administering and enforcing the MVSFA for the Department.

3. International Automotive Services is a Pennsylvania Business Corporation located at 400 Jacksonville Road, Hatboro, PA 19040.

4. International Automotive Services was licensed as an installment seller between November 17, 2003 and October 1, 2007, after which time the license was not renewed.

5. On January 11, 2012, an examiner from the Department commenced an examination of International Automotive Services at its principal place of business.

VIOLATION

6. During the examination, the examiner found that International Automotive Services entered into three (3) installment sale contracts between October 1, 2007 and January 11, 2012, during which time International Automotive Services was not licensed as an installment seller.

7. Section 4.1 of the MVSFA provides, in relevant part:

no person shall engage or continue to engage in this Commonwealth either as principal, employe, agent or broker . . . [i]n the business of an installment seller of motor vehicles under installment sale contracts, except as authorized in this act, under license issued by the department. . . ." *See* 69 P.S. § 604.1.

8. By engaging in the business of an installment seller of motor vehicles while not licensed by the Department, International Automotive Services violated Section 4.1 of the MVSFA.

9. Under the MVSFA, the Department has the authority to issue an order and impose a "civil penalty" of not more than \$2,000 "for each offense." *See* 69 P.S. §§ 637.D, 637.1.

RELIEF

10. Fine. Within 30 days of the Effective Date of this Order as defined in Paragraph 18, International Automotive Services shall pay a fine in the amount of \$300. The fine shall be paid within thirty days by certified check or money order directed to the "Department of

Banking.” The payment shall be mailed or delivered to the attention of John Talalai, Administrator, Bureau of Compliance and Licensing, Pennsylvania Department of Banking, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101.

11. Corrective Action. International Automotive Services shall not engage in the business of an installment seller in Pennsylvania unless it is licensed by the Department as an installment seller.

FURTHER PROVISIONS

12. Consent. International Automotive Services hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Bureau’s order authority under the MVSFSA and agrees that it understands all of the terms and conditions contained herein. International Automotive Services, 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.

13. Consumer Rights. This Order shall not limit or impair consumers’ rights provided by Section 35 of the MVSFSA. 69 P.S. § 635.

14. 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).

15. 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 International Automotive Services.

16. Binding Nature. The Department, International Automotive Services, and all officers, owners, directors, employees, heirs and assigns of International Automotive Services intend to be and are legally bound by the terms of this Order.

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

18. Effectiveness. International Automotive Services hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes this Order.

19. 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 International Automotive Services in the future regarding all matters not resolved by this Order.

b. International Automotive Services 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.

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

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

22. 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 Commonwealth of Pennsylvania, Department of Banking, Bureau of Compliance and Licensing

and International Automotive Services, Inc. d/b/a Society Hill Motors intending to be legally bound, do hereby execute this Consent Agreement and Order.

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

John Lalai, Administrator
Department of Banking
Bureau of Compliance and Licensing

Date: 5-9-2012

**FOR INTERNATIONAL AUTOMOTIVE SERVICES, INC.
d/b/a SOCIETY HILL MOTORS**

(Officer Signature)

(Print Officer Name)

President
(Title)

Date: 5-1-12