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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING

PA DEPT OF BANKING

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

v.

MILIS AUTO CENTER, INC D/B/A  
ROLLS AUTO SALES

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Docket No.: 12 0056 (ENF-CO)

**CONSENT AGREEMENT AND ORDER**

The Commonwealth of Pennsylvania, acting through the Department of Banking (“Department”), Bureau of Examinations, has conducted an examination of Milis Auto Center, Inc. d/b/a Rolls Auto Sales (“Rolls Auto”) and its officers, employees and directors. Based on the results of the examination, the Bureau of Compliance and Licensing (“Bureau”) concluded that Rolls Auto 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, 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. Rolls Auto is a corporation that engages in the business of selling motor vehicles to Pennsylvania consumers through installment sale contracts.

4. Rolls Auto's principal place of business is located at 7416 ½ Frankford Avenue, Philadelphia, Pennsylvania 19136.

5. Rolls Auto was initially licensed by the Department as an installment seller, installment seller, license no. 17018, but it allowed the license to expire on October 1, 2010 because it failed to timely submit a license renewal application. *See* 69 P.S. § 605E (requiring all applications for renewal licenses to be filed at least fifteen days prior to October first, annually).

6. Rolls Auto applied for a new installment seller license which the Department issued on November 1, 2010 under installment seller license no. 32859.

7. On or about February 21 2012, an examiner from the Department commenced a routine examination of Rolls Auto at its principal place of business.

## VIOLATION

### Unlicensed Activity

8. During the examination, the examiner found that Rolls Auto entered into twenty-eight (28) installment sale contracts between October 1, 2010 and October 31, 2010, the period when it was not licensed as an installment seller by the Department.

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

no person shall engage or continue to engage in this Commonwealth either as principal, employee, agent or broker. . . [i]n 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 . . . .

69 P.S. § 604.1.

10. By engaging in the business of selling motor vehicles under installment sale contracts while not licensed by the Department, Rolls Auto violated Section 4.1 of the MVSFA.

11. Due to Rolls Auto's violation of the MVSFA, the Department has the authority to issue an order and impose a "civil penalty" of not more than two thousand dollars "for each offense." See 69 P.S. §§ 637.D, 637.1.

#### RELIEF

12. Fine. Within 30 days of the effective date of this Order as defined in Paragraph 20, Rolls Auto shall pay to the Department a fine in the amount of \$2,800.00. The fine shall be payable by certified check or money order and remitted to the attention of the Bureau of Compliance and Licensing, Pennsylvania Department of Banking, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101.

13. Corrective Action. Rolls Auto 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

14. Consent. Rolls 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. Rolls 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.

15. Consumer's Rights. This Order shall not limit or impair a consumer's rights under Section 35 of the MVSFA. 69 P.S. § 635.

16. 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).

17. 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 Rolls Auto.

18. Binding Nature. The Department, Rolls Auto, and all officers, owners, directors, employees, heirs, and assigns of Rolls Auto intend to be and are legally bound by the terms of this Order.

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

20. Effectiveness. Rolls Auto hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes this Order (“Effective Date”).

21. 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 Rolls Auto in the future regarding all matters not resolved by this Order.
- b. Rolls 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.

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

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

24. 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 Milis Auto Center Inc. d/b/a Rolls 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 AND LICENSING

Lucy Cortez, Enforcement Administrator  
Bureau of Compliance and Licensing  
Department of Banking

Date: 6/12/18

FOR MILIS AUTO CENTER INC d/b/a  
ROLLS AUTO SALES

\_\_\_\_\_  
(Officer Signature)

\_\_\_\_\_  
(Print Officer Name)

President  
(Title)

