

Gramm-Leach Bliley Act Privacy Policy Disclosure

6. During the examination, the examiner found that Northside Imports did not issue the separate privacy policy disclosure to consumers per the Gramm Leach Bliley Act as required by 15 U.S.C. § 6803.
7. The Department addressed this violation on site during an examination on October 26, 2012.
8. Northside Imports acknowledged the finding.

Authority of the Department

9. 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).
10. Section 6218 (13) of the CCC states that the Department may revoke or suspend any license when the licensee engaged in an illegal practice or conduct. 12 Pa.C.S. § 6218(a)(13).
11. 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.

VIOLATIONS

12. Northside Imports violated 15 U.S.C. § 6803 when it failed to issue the separate privacy policy disclosure to consumers.

RELIEF

13. Fine. Northside Imports agrees to pay a fine of five hundred dollars (\$500). Payment is due within thirty (30) days of the Effective Date of the Order as defined in paragraph 21 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. 2nd Street, Suite 1300, Harrisburg, PA 17101-2290.

14. Corrective Action. Upon the Effective Date of this Order, Northside Imports shall provide the separate privacy policy disclosure to consumers.

FURTHER PROVISIONS

15. Consent. Northside Imports hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Department’s order authority under the CCC and agrees that it understands all of the terms and conditions contained herein. Northside Imports, 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.

16. 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.)

17. Publication. The Department will publish this Order pursuant to its authority in Section 302.A.(5) of the Department of Banking and Securities Code. 71 P.S. § 733-302.A.(5).

18. 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 Office and Northside Imports.

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

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

21. Effectiveness. Northside Imports hereby stipulates and agrees that the Order shall become effective on the date that the Office executes this Order (“Effective Date”).

22. 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 Northside Imports in the future regarding all matters not resolved by this Order.

b. Northside Imports 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.

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

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

25. 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 Northside Imports 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: 10/16/2017



FOR NORTHSIDE IMPORTS LLC

Redacted

(Officer Signature)

Michael Petrella
(Print Officer Name)

MEMBER
(Title)

Date: 10.16.17