

FILED

2018 SEP 19 PM 2:55

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING AND SECURITIES  
PA DEPARTMENT OF  
BANKING AND SECURIT

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING AND  
SECURITIES, COMPLIANCE OFFICE

vs.

Z & A INC.

Docket No. 18 0003 (BNK-CAO)

**CONSENT AGREEMENT AND ORDER**

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities ("Department"), Compliance Office ("Office"), has reviewed the business practices of Z & A Inc. ("Z & A"), and its officers, employees and directors. Based on the results of its review, the Office concludes that Z & A operated in violation of the Consumer Credit Code ("CCC") as related to the installment seller license, 12 Pa. C.S. § 6201 *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 CCC.
2. Z & A is licensed as an Installment Seller, license number 18881 under the CCC.
3. Z & A's principle place of business is located at 114-118 Roosevelt Boulevard, Philadelphia, PA 19120.
4. On June 6, 2018, an examiner from the Department commenced a risk-based examination of Z & A at its principal place of business due to the receipt of a consumer complaint.

Failure to Make Trade-In Payoff of Motor Vehicle

5. During the examination, the examiner found that Z & A failed to satisfy the lien of a traded vehicle as part of a purchase agreement.

6. Z & A failed to satisfy this outstanding debt in a timely manner.

7. By failing to pay off and satisfy the lien on a traded in vehicle, Z & A engaged in unfair conduct

Authority of the Department

8. 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).

9. Section 6218 (13) of the CCC states that the Department may revoke or suspend any license that has, “Engaged in unfair, deceptive, fraudulent or illegal practices or conduct in connection with a business regulated by this chapter”. 12 Pa. C.S. § 6218(a)(13).

10. 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**

11. Z & A violated the CCC when it engaged in unfair conduct when it failed to satisfy the lien of the traded vehicle in a timely manner.

**RELIEF**

12. Fine. Z & A agrees to pay a fine of one thousand dollars (\$1,000). The payment is due within thirty (30) days of the Effective Date of the Order as defined in paragraph 20 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

13. Collective Action Upon the Effective Date of this Order, Z & A shall comply with all requirements of the CCC concerning the installment seller license.

#### FURTHER PROVISIONS

14. Consent Z & A 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. Z & A, 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 CCC 12 Pa. C.S. § 6236. (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 and Securities 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 Office and Z & A.

18. Binding Nature The Department, Z & A, and all officers, owners, directors, employees, heirs and assigns of Z & A 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 opportunity for legal advice from legal counsel.

20. Effectiveness. Z & A hereby stipulates and agrees that the Order shall become effective on the date that the Department docket 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 Z & A in the future regarding all matters not resolved by this Order.

b. Z & A 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

25. Review. This Order is subject to review by the Department's Legal Office.

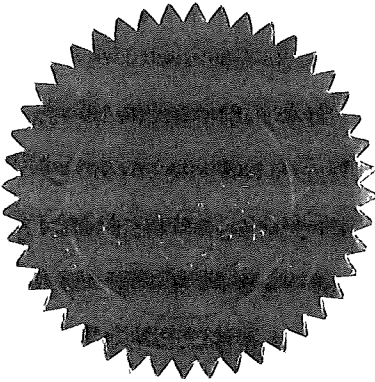
WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Department of Banking and Securities, Compliance Office and Z & A Inc. intending to be legally bound do hereby execute this Consent Agreement and Order

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

Redacted

James Keiser, Chief  
Compliance Officer  
Department of Banking and Securities

Date: September 14, 2018



FOR Z & A INC.

Redacted

(Officer Signature)

Zuhair AH

(Print Officer Name)

President

(Title)

Date: 9/14/18