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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES

PA DEPARTMENT OF
BANKING AND SECURITIES

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND
SECURITIES, COMPLIANCE OFFICE

v.

Docket No.: 19 0105 (BNK-CAO)

CAPRI AUTO WORKS, LLC

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 Capri Auto Works, LLC ("CAW") and its officers, employees, and directors. Based on the results of its review, the Office concludes that CAW operated in violation of the Consumer Credit Code ("CCC") as related to motor vehicle sales finance, 12 Pa. C.S. § 6101 *et seq.* The parties to the above-captioned matter, in lieu of litigation, hereby stipulate 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. CAW's principal place of business is located at 2005 Hanover Ave., Allentown, PA 18109-8143.
3. CAW was issued installment seller license number 48438 on October 20, 2014.
4. CAW's installment seller license number 48438 expired on October 1, 2019, due to failing to renew the license.

Unlicensed Activity

5. Anyone engaging in the business of an installment seller of motor vehicles under installment sales contracts needs a license issued by the Department. 12 Pa. C.S. § 6211(a)(1).

6. The CCC prohibits CAW from engaging in the Commonwealth as an installment seller without first obtaining an installment seller license from the Department. 12 Pa. C.S. § 6211(a)(1).

Authority of the Department

7. 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).

8. 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

9. CAW violated Section 6211(a)(1) of the CCC when it engaged in the business of an installment seller while unlicensed. 12 Pa. C.S. § 6211(a)(1).

RELIEF

10. Fine. CAW agrees to pay a fine of three hundred seventy-five dollars (\$375). The fine payment is due within thirty (30) days of the Effective Date of the Order as defined in paragraph 18 below. The fine payment shall be made by ACH or wire transfer, or if ACH or wire transfer is unavailable, by certified check, cashier’s check, teller’s check or money order made payable to the “Department of

Banking and Securities” and shall be mailed, or delivered in person to the attention of, Department of Banking and Securities, Compliance Office, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101-2290.

11. Corrective Action. CAW agrees to no longer enter into installment contracts until properly licensed.

FURTHER PROVISIONS

12. Consent. CAW 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. CAW, 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’s Rights. This Order shall not limit or impair a consumer’s rights under the CCC. 12 Pa C S. § 6236

14. 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).

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 Office and CAW.

16. Binding Nature. The Department, CAW, and all officers, owners, directors, employees, heirs and assigns of CAW 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. CAW hereby stipulates and agrees that the Order shall become effective on the date that the Office executes this Order ("Effective Date")

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 CAW in the future regarding all matters not resolved by this Order.
- b CAW 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 "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.

23. 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 Capri Auto Works, 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

James Keiser, Chief
Compliance Office
Department of Banking and Securities

Date: December 13, 2019



FOR CAPRI AUTO WORKS, LLC

Redacted

(Officer Signature)

Gurpreet Dhillon
(Print Officer Name)

owner -
(Title)

Date: 12-13-19