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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING AND SECURITIES

PA DEPARTMENT OF  
BANKING AND SECURITIES

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COMMONWEALTH OF PENNSYLVANIA :	:
DEPARTMENT OF BANKING AND :	:
SECURITIES, COMPLIANCE OFFICE :	:
	:
v. :	Docket No.: 220058 (BNK-C&D)
	:
ADA CARS LLC :	:
	:

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NOTICE TO ANSWER AND REQUEST A HEARING

You, ADA Cars LLC, have the right to challenge the attached Order by filing an Answer, in writing, with the Docket Clerk **within 30 days** of the date of this Order as required by 1 Pa. Code § 35.37. **If you do not file an Answer within 30 days, then you will waive your right to a hearing and the Banking and Securities Commission (“Commission”) may enter a final order against you.**

Your Answer must be in writing. Your Answer must specifically admit or deny the allegations in the Order, set forth the facts you rely upon and state concisely the law you rely upon. General denials of the allegations set forth in the Order are not sufficient; you must support your denials with specific facts. Failure to support your denials with specific facts may cause the Commission to deem the facts in the Order as admitted and to enter a final order against you, without a hearing.

The Answer and any other documents must be filed via first-class mail and electronic mail with the Docket Clerk:

Eileen Smith, Docket Clerk  
Department of Banking and Securities  
17 N. Second Street, Suite 1300  
Harrisburg, PA 17101  
Email: [RA-BNDOCKETCLERK@pa.gov](mailto:RA-BNDOCKETCLERK@pa.gov)

Further, you must serve a copy of the Answer and any other documents on the person who signed the Order by providing a hard and electronic copy to his or her counsel indicated below:

Charles D. Vance, Jr., Esquire  
Department of Banking and Securities  
17 N. Second Street, Suite 1300  
Harrisburg, PA 17101  
[chvance@pa.gov](mailto:chvance@pa.gov)

Once you file your Answer, you will be notified of pertinent information such as the name of the presiding officer designated by the Commission to hear this matter and, if a hearing is scheduled, the date, time and location of the hearing. You have the right to be represented by an attorney.

All procedural matters will be governed by the Pennsylvania Administrative Agency Law, 2 Pa. C.S. §§ 501-508, 701-704, and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1.-35.251.

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SECURITIES, COMPLIANCE OFFICE	:	
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v.	:	
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ADA CARS LLC	:	Docket No. : 22 <u>0058</u> (BNK-ORD)
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**SUSPENSION ORDER**

Through this Order, the Department of Banking and Securities (“Department”), Compliance Office (“Office”), hereby notifies ADA Cars LLC (“ADA”) that its Installment Seller license will be suspended within 30 days and this Order will become final. In support of its Order, the Office states the following:

**PARTIES**

1. The Department is the Commonwealth of Pennsylvania’s administrative agency authorized and empowered to administer and enforce the Consumer Credit Code (“CCC”) as related to motor vehicle sales finance, 12 Pa. C.S. § 6201 *et seq.*
2. The Office is primarily responsible for administering and enforcing the CCC for the Department.
3. ADA is currently licensed as an Installment Seller, license no. 67912.
4. ADA was, at all times material herein, a Pennsylvania Limited Liability Company with a principal place of business at 2660 Bristol Pike Bristol, PA 19007.

## BACKGROUND

5. Section 6203 of the CCC states in pertinent part, “Authority of department. (a) Powers.--The department has the authority to do any of the following: (1) Investigate the business activities of a licensee and person engaged in a business contemplated by this chapter by the following means: (i) Examining the records of the licensee and person ... (2) Examine the records, safes and vaults of a person described under subsection (b)(2) for the purpose of discovering violations of this chapter.” 12 Pa. C.S. § 6203(a).

6. Section 6204(d) of the CCC states in pertinent part, “Records (d) Preservation. -- Records of a licensee shall be preserved and available for examination by the department for at least two years after making the final entry therein.” 12 Pa. C.S. § 6204(d).

7. On August 3, 2022; August 9, 2022; and August 16, 2022, Examiner Corcoran attempted to contact Mustafa Ekermen, owner of ADA, at (215) 693-6293 and at (215) 704-0185. The voicemail boxes were not setup yet. The telephone numbers, above-stated, were registered, by ADA, with the Department.

8. On August 26, 2022, Examiner Corcoran sent an email to Mustafa Ekermen at [mekermen@gmail.com](mailto:mekermen@gmail.com) to advise Ekermen of his[Corcoran’s] intentions to setup an off-site examination of ADA’s Installment Seller license. The foregoing e-mail address was registered, by ADA, with the Department.

9. On August 27, 2022, Examiner Corcoran received an email from Mustafa Ekermen. Mr. Ekermen stated that he must correct his Portal account with Examinations Director, Ryan Walsh, as he[Ekermen] was having issues logging into the account. The “Portal” is a web site maintained by the Department for the exchange of information between licensees and the Department.

10. On August 29, 2022; September 6, 2022; September 12, 2022; and September 20, 2022, Examiner Corcoran attempted to contact Mustafa Ekermen at (215) 693-6293 and (215) 704-0185 but was unsuccessful because the voicemail boxes were not set up yet.

11. On October 4, 2022, Examinations Director Ryan Walsh attempted to contact Mustafa Ekermen at (215) 704-0185 and the voicemail box was full. Examinations Director Walsh sent Mustafa Ekermen an email at [autopikemustafa@gmail.com](mailto:autopikemustafa@gmail.com) advising Mustafa Ekermen that he had until October 7, 2022 to contact Examiner Corcoran and Examiner Sandy regarding examinations for both Berkal LLC and ADA Cars LLC or the licensees may face suspension. This e-mail address, i.e., [autopikemustafa@gmail.com](mailto:autopikemustafa@gmail.com), was also registered by ADA with the Department.

12. Neither Examinations Director Walsh, nor Examiner Corcoran, nor Examiner Sandy received any response from either ADA or Mustafa Ekermen.

13. On October 19, 2022, Examiner McCoy sent Mustafa Ekermen an email at [mekermen@gmail.com](mailto:mekermen@gmail.com) to contact her immediately regarding providing requested examination materials.

14. On October 24, 2022 and October 31, 2022, Examiner McCoy attempted to call Mustafa Ekermen at (215) 704-0185 and the voice mailbox was full. Examiner McCoy attempted to call Mustafa Ekermen at (215) 693-6293 and left a message for a return call regarding supplying records necessary to conduct an examination. Examiner McCoy sent Mustafa Ekermen an email at [mekermen@gmail.com](mailto:mekermen@gmail.com) and [autopikemustafa@gmail.com](mailto:autopikemustafa@gmail.com) to contact her immediately regarding providing requested examination materials.

15. Finally, on November 7, 2022, Examiner McCoy sent Mustafa Ekermen an email at [mekermen@gmail.com](mailto:mekermen@gmail.com), [autopikemustafa@gmail.com](mailto:autopikemustafa@gmail.com), and [autolot.br@gmail.com](mailto:autolot.br@gmail.com) to contact

her immediately regarding providing requested examination materials. Examiner McCoy attempted to contact Mustafa Ekermen at (215) 704-0185 and the mailbox was full. Examiner McCoy attempted to call Mustafa Ekermen at (215) 693-6293 and left a message for Mustafa Ekermen to return her call. The ADA also registered the third e-mail address, listed above, with the Department.

16. Examiner McCoy received no response from either ADA or Mustafa Ekermen.

17. As of the date of this Order, the Department has not received all requested examination materials.

#### **AUTHORITY**

18. “The department has the authority to do any of the following: (1) Investigate the business activities of a licensee and person engaged in a business contemplated by this chapter by the following means: (i) Examining the records of the licensee and person. (ii) Accessing the offices and places of business of the licensee and person and the records of the licensee and person. (2) Examine the records, safes and vaults of a person described under subsection (b) (2) for the purpose of discovering violations of this chapter. ... (4) Prescribe the minimum information to be shown in the records of a licensee so as to enable the department to determine compliance with the provisions of this chapter. (5) Promulgate regulations and issue orders, statements of policy and written interpretations as necessary or appropriate for the interpretation or enforcement of this chapter.” 12 Pa. C.S. § 6203(a).

19. Section 6218(a) of the CCC authorizes the Department “upon notice under subsection (b),... to revoke or suspend a license if it discovers a fact or condition that, had it existed or been discovered at the time of filing of any license application, would have warranted disapproval of the application or if it finds that the licensee has engaged in any of the

following:...(2) Violated a provision of [the CCC]. (3) Violated an order or regulation issued by the department under and within the authority of [the CCC]. (4) Failed to comply with a demand, order or regulation of the department lawfully made by the Department under and within the authority of [the CCC]. (5) Refused or refuses to permit the department to make examinations authorized by [the CCC]. (7) Failed to maintain satisfactory records required by [the CCC] or prescribed by the department.” 12 Pa. C.S. § 6218(a)(2,3,4,5, and 7).

20. The Department has the authority to issue enforcement orders including the authority to suspend any license issued pursuant to the CCC if a license has failed to comply with or violated any provision of the CCC. 12 Pa. C.S. § § 6203, 6218.

#### **VIOLATIONS**

21. By failing to maintain and provide to the Department requested records relating to ADA’s business activities for purposes of a lawful examination, ADA is in violation of 12 Pa. C.S. §§ 6203(a), 6204(d), and 6218 (a)(5). Further, in failing to comply with repeated demands by the Department lawfully made, ADA is in violation of 12 Pa. C.S. §6218 (a)(4).

#### **RELIEF**

**AND NOW THEREFORE**, since ADA has failed to provide Department requested records relating to ADA’s business activities and has failed to comply with a demand by the Department, the Office, pursuant to the authority referenced above, hereby issues the following Order:

22. No later than the effective date of this Order, ADA’s Installment Seller license shall be **SUSPENDED**, meaning that ADA and its owners, officers, directors and/or employees, shall not engage in the Installment Seller business in Pennsylvania as defined in Section 6202 of the CCC, until such time that the Office lifts the suspension.

23. The suspension will not be lifted until ADA provides the requested records necessary for the Department to conduct an examination, an examination has been conducted, any and all violations from the examination have been rectified, and the expenses incurred and assessed in connection with the examination pursuant to Section 6203(d) of the CCC have been paid. The requested records shall be remitted through the Department's Portal at <https://www.portal.dobs.pa.gov>.

24. Nothing in this Order shall prevent the Office from taking any further administrative action as deemed necessary.

25. The effective date of this Order shall be 30 days after the date this Order is signed below.

**IT IS SO ORDERED.**

**Redacted**

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John Talalai, Director  
Compliance Office  
Department of Banking and Securities

**12/29/2022**

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(Date)





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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the foregoing Suspension Order upon the parties below, who constitute the only parties of record in this proceeding, in accordance with the requirements of 1 Pa. Code § 33.35, 33.36 and 33.37:

**BY CERTIFIED AND FIRST CLASS MAIL**

ADA Cars LLC  
2660 Bristol Pike  
Bristol, PA 19007

Dated this 3rd day of January 2023.

**Redacted**

Timothy Kissinger, Legal Office Administrator  
Office of Chief Counsel  
FOR: Commonwealth of Pennsylvania  
Department of Banking and Securities  
17 North Second Street, Suite 1300  
Harrisburg, PA 17101  
(717) 787-1471