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COMMONWEALTH OF PENNSYLVANIA 2023 DEC 18 AM 10:29
DEPARTMENT OF BANKING AND SECURITIES

PA DEPARTMENT OF
BANKING AND SECURITIES

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF BANKING AND :
SECURITIES, COMPLIANCE OFFICE :
: :
v. : Docket No. : 23 0045 (BNK-ORD)
: :
CARS 4 YOU LLC :
JAIME CESPEDES LOPEZ, individually :

NOTICE TO ANSWER AND REQUEST A HEARING

You, Jaime Cespedes Lopez, individually, and Cars 4 You LLC, have the right to challenge the attached Order to Revoke (“Order”) by filing an Answer, in writing, with the Docket Clerk **within 30 days** of the date of this Order, pursuant to 12 Pa.C.S. § 6218. **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 relating to this matter must be filed via first-class mail and electronic mail with the Docket Clerk:

Linnea Freeberg, Docket Clerk
Pennsylvania Department of Banking and Securities
17 N. Second Street, Suite 1300
Harrisburg, PA 17101
Email: 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:

Office of Chief Counsel
Pennsylvania Department of Banking and Securities
17 N. Second Street, Suite 1300
Harrisburg, PA 17101
Email: RA-BNCHIEFCOUNSEL@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.

The hearing and all other 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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CARS 4 YOU LLC	:	Docket No. : 23_0045 (BNK-ORD)
JAIME CESPEDES LOPEZ, individually	:	

ORDER TO REVOKE

Through this Order to Revoke (“Order”), the Commonwealth of Pennsylvania Department of Banking and Securities (“Department”), Compliance Office (“Office”), hereby notifies Cars 4 You LLC (“Cars 4 You”) that its Installment Seller license will be revoked 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 it relates 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. Cars 4 You is currently licensed as an Installment Seller, license number 91620.
4. Cars 4 You was, at all times material herein, a Pennsylvania limited liability company with a principal place of business at 135 N. Lehigh Avenue, Frackville, Pennsylvania 17931.

5. Jaime Cespedes Lopez (“Lopez”) is the sole member of Cars 4 You and is its control person and branch manager. Lopez is also the contact for licensing, examinations, compliance, consumer services, and billing of Cars 4 You.

BACKGROUND

6. On May 16, 2023, the Office conducted an examination of Cars 4 You at its principal place of business at 135 N. Lehigh Avenue, Frackville, Pennsylvania 17931. The “Installment Seller Questionnaire” was completed and signed by “Jaime Cespedes,” who is titled as “Owner.” The examination indicates that “Jaime Cespedes” was present and was involved with discussions during the examination. The Examination Summary was signed by “Jaime Cespedes Owner.”

7. On June 2, 2023, the Office issued invoice number 060223 in the amount of \$508.00 for costs incurred during the examination (“Exam Invoice”).

8. The Exam Invoice was due within 60 days and was issued pursuant to Section 204 of the Department of Banking and Securities Code (“Code”), 71 P.S. § 733-204.

9. Cars 4 You did not pay the Exam Invoice within 60 days from the date it was issued.

10. On August 31, 2023, the Office sent a dunning notice via U.S. Mail to Cars 4 You, notifying it that the Exam Invoice was past due. The dunning notice added a penalty fee of \$150.00 to the Exam Invoice.

11. On October 1, 2023, Cars 4 You submitted payment in the amount of \$658.00.

12. The payment for the Exam Invoice, in the amount of \$658.00, was paid with a credit card in the name of an individual other than Lopez.

13. The cardholder subsequently disputed the \$658.00 charge made on October 1, 2023, with the credit card company and, after investigation, the \$658.00 payment to the

Department was reversed by the credit card company for “Reason: 1040 / Other fraud – Card Absent Environment.”

14. On November 22, 2023, Staff of the Office (“Staff”) called Cars 4 You at (570) 874-8989 and (570) 599-0026, but both calls could not be completed as per a recorded message.

15. On November 22, 2023, Staff called a nearby business to inquire if Cars 4 You was in business. The associate of the nearby business advised Staff that Cars 4 You was still in business.

16. As of the date of this Order, the Exam Invoice, in the amount of \$658.00, remains unpaid.

17. Installment sellers licensed pursuant to the CCC must submit a yearly license renewal application to the Department and pay a license renewal application fee of \$250.00. 12 Pa.C.S. § 6216(4)(ii).

18. On October 1, 2023, Cars 4 You submitted a 2023/2024 license renewal application and paid a license renewal application fee in the amount of \$250.00.

19. The payment for the 2023/2024 license renewal application, in the amount of \$250.00, was paid with a credit card in the name of an individual other than Lopez.

20. The cardholder subsequently disputed the \$250.00 charge made on October 1, 2023, with the credit card company and, after investigation, the \$250.00 payment to the Department was reversed by the credit card company for “Reason: 1040 / Other fraud – Card Absent Environment.”

21. As of the date of this Order, the 2023/2024 license renewal application fee, in the amount of \$250.00, remains unpaid.

AUTHORITY

22. “The expenses incurred by the [D]epartment in connection with an examination or investigation, including a proportionate part of the salary of an examiner or other employee of the [D]epartment...may be assessed by the [D]epartment upon the particular person examined or investigated.” 12 Pa.C.S. § 6203(d).

23. “If payment [of the assessment or expense] is not made by any institution or licensee within the sixty-day period, the [D]epartment may impose in addition to the money assessed a maximum penalty fee of one hundred fifty dollars (\$150.00) for that sixty-day period and each successive thirty-day period of delinquency.” 71 P.S. § 733-204.B.

24. 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 [D]epartment of not more than \$2,000 for each offense.” 12 Pa.C.S. § 6274.

25. Section 6218(a)(4) of the CCC provides that the Department may revoke or suspend a license if it finds that a licensee has “[f]ailed to comply with a demand, order, or regulation of the [D]epartment lawfully made by the [D]epartment under and within the authority of [the CCC]” 12 Pa.C.S. § 6218(a)(4).

26. The Department has the authority to issue enforcement orders including the authority to revoke any license issued pursuant to the CCC, if a licensee has failed to comply with or violated any provision of the CCC. 12 Pa.C.S. §§ 6203(a)(5), 6218(a).

VIOLATIONS

27. By failing to pay the examination and license renewal application fee invoices, Cars 4 You and Lopez are in violation of Section 6203(d) and 6216(4)(ii) of the CCC and have failed to comply with the provisions of the CCC and the Code.

RELIEF

AND NOW THEREFORE, since Cars 4 You has failed to pay the examination and license renewal application fee invoices, the Office, pursuant to the authority referenced above, hereby issues the following Order:

28. No later than the Effective Date of this Order, as defined in paragraph 32 below, Cars 4 You's Installment Seller license number 91620 shall be REVOKED, meaning that Lopez, individually, and Cars 4 You and its owners, officers, directors and/or employees, shall not engage in the installment seller business in Pennsylvania.

29. Cars 4 You and Lopez shall be fined \$2,000 for each offense of the CCC, for a total fine of \$4,000.00. Payment shall be remitted through the Department's Portal at <https://www.portal.dobs.pa.gov>.

30. Cars 4 You and Lopez shall pay the outstanding amount of \$908.00 for the examination and license renewal application fee invoices. Payment shall be remitted through the Department's Portal at <https://www.portal.dobs.pa.gov>.

31. Nothing in this Order shall prevent the Office from taking any further administrative action as it deems necessary.

32. The effective date of this Order ("Effective Date") shall be 30 days after the date this Order is signed below.

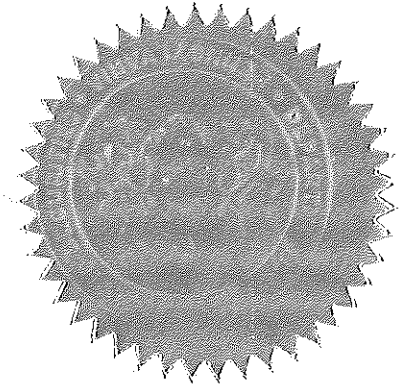
IT IS SO ORDERED.

Redacted

John Talalai, Director
Compliance Office
Pennsylvania Department of Banking and Securities

12/18/2023

(Date)



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing *Order to Revoke* 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

Cars 4 You LLC
Jaime Cespedes Lopez, individually
135 N. Lehigh Avenue
Frackville, PA 17931

Dated this ^{19th} day of December 2023.

Redacted

Eileen Smith, Legal Assistant
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