

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

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Proceedings by the Commissioner of Banking )  
and Insurance, State of New Jersey, to fine, )  
suspend and/or revoke the motor vehicle )  
installment seller license of Cali Auto Sales )  
Inc, Reference No. 1200435. )  
\_\_\_\_\_

FINAL ORDER

TO: Cali Auto Sales Inc  
652 Garden Street  
Elizabeth, New Jersey 07202

THIS MATTER having been opened by the Commissioner of the New Jersey Department of Banking and Insurance (“Commissioner”), upon information that Cali Auto Sales Inc (“Respondent”), may have violated various provisions of the Retail Installment Sales Act of 1960, N.J.S.A. 17:16C-1 to -61 (“Act”); and

WHEREAS, Respondent is currently licensed as a motor vehicle installment seller pursuant to N.J.S.A. 17:16C-2; and

WHEREAS, Respondent is subject to the provisions of the Act; and

WHEREAS, pursuant to N.J.S.A. 17:16C-2, no person shall engage in or continue to engage in the business of a motor vehicle installment seller in this State without first obtaining a license from the Commissioner as provided for in the Act;

WHEREAS, pursuant to N.J.S.A. 17:16C-10(a)(1), the Commissioner may revoke, suspend or refuse to renew a license or impose a penalty pursuant to the Act if the Commissioner

finds, after notice and an opportunity for a hearing, that any person, applicant for or holder of the license has violated any of the provisions the Act or any order, rule or regulation made or issued pursuant to the Act; and

WHEREAS, pursuant to N.J.S.A. 17:16C-10(a)(5), the Commissioner may revoke, suspend or refuse to renew a license or impose a penalty pursuant to the Act if the Commissioner finds, after notice and an opportunity for a hearing, that any person, applicant for or holder of the license has demonstrated unworthiness, incompetence, bad faith or dishonesty in the transacting of business as a licensee; and

WHEREAS, pursuant to N.J.S.A. 17:16C-10(a)(6), the Commissioner may revoke, suspend or refuse to renew a license or impose a penalty pursuant to the Act if the Commissioner finds, after notice and an opportunity for a hearing, that any person, applicant for or holder of the license has engaged in any other conduct which would be deemed by the Commissioner to be the cause for denial of the license; and

WHEREAS, pursuant to N.J.S.A. 17:16C-55, any person, and any director, officer, employee, agent, or representative thereof, who or which shall engage in this State in the business of a motor vehicle installment seller without having first obtained a license, as required by the Act, shall be liable to a penalty of not more than \$1,000.00 for each offense; and

WHEREAS, the Commissioner issued Order to Show Cause E19-019895 on November 25, 2019, alleging violations of the Act by Respondent as follows:

**COUNT 1**

IT APPEARING that Respondent's motor vehicle installment seller license expired on July 1, 2017; and

IT FURTHER APPEARING that Respondent renewed the expired license on March 19, 2018; and

IT FURTHER APPEARING that from July 1, 2017 to March 19, 2018, Respondent was not licensed to engage in the motor vehicle installment sales business in New Jersey; and

IT FURTHER APPEARING that despite being unlicensed from July 1, 2017 to March 19, 2018, Respondent sold at least eight automobiles with accompanying installment sales contracts in New Jersey;

IT FURTHER APPEARING that by selling at least eight automobiles with accompanying installment sales contracts in New Jersey without being licensed to do so, Respondent violated N.J.S.A. 17:16C-2; N.J.S.A. 17:16C-10(a)(1), (a)(5), and (a)(6); and N.J.S.A. 17:16C-55; and

IT FURTHER APPEARING that each act of selling an installment sales contract without being licensed to do so constitutes a separate violation of the Act; and

WHEREAS, as set forth in the certification of service of Garen Gazaryan, Deputy Attorney General, attached hereto as Exhibit A, Respondent was given notice of the aforesaid charges and an opportunity to contest the charges at a hearing pursuant to the Order to Show Cause, which was duly served upon Respondent by certified and regular mail to its last known mailing address; and

WHEREAS, Respondent failed to respond to the charges contained in the Order to Show Cause, and therefore Respondent has waived its right to a hearing to contest these charges and the charges are deemed admitted; and

NOW, THEREFORE, IT IS on this 10 day of March 2022,

ORDERED, that the charges contained in Count One of the Order to Show Cause are deemed admitted by Respondent; and

IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:16C-10(a)(1), (a)(5), and (a)(6), the motor vehicle installment seller license of Respondent is hereby **REVOKED** effective upon the execution of this Final order by the Commissioner; and

IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:16C-55, Respondent shall pay a civil penalty of \$8,000.00 to the Commissioner for the violation stated in Count 1 of the OTSC; and

IT IS FURTHER ORDERED, that Respondent shall pay the above penalty to the Commissioner of Banking and Insurance, State of New Jersey, P.O. Box 040, Trenton, New Jersey 08625, Attention: Paulette Sibblies-Flagg, OCF Enforcement Unit, by certified check, cashier's check or money order made payable to the "State of New Jersey, General Treasury," within ten days from the date of service of this Order; and

IT IS FURTHER ORDERED, that in the event full payment of the penalty and costs is not made, the Commissioner may exercise any and all remedies available by law, including but not limited to recovery of any unpaid penalties, in accordance with the Penalty Enforcement Law, N.J.S.A. 2A:58-10 to -12; and

IT IS FURTHER ORDERED, that the civil penalty in this Final Order is imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety and welfare, and is not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

IT IS FURTHER ORDERED, that the provisions of this Final Order represent a final agency decision and constitute a final resolution of the allegations contained in the Order to Show Cause.



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Marlene Caride  
Commissioner

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY  
Richard J. Hughes Justice Complex  
25 Market Street  
P. O. Box 117  
Trenton, New Jersey 08625  
Attorney for the Department

By: Garen Gazaryan  
Deputy Attorney General  
NJ Attorney ID No. 070262013  
(609)376-2965  
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**CERTIFICATION OF  
GAREN GAZARYAN**

I, Garen Gazaryan, of full age, do of my own personal knowledge make the following statements by way of certification in lieu of affidavit pursuant to R. 1:4-4(b):

1. I am a Deputy Attorney General assigned as counsel for the New Jersey Department of Banking and Insurance (“Department”) in the above matter. I submit this certification in support of the Department’s request that a Final Order be entered against Respondent Cali Auto Sales Inc (“Respondent”), and specifically to establish that proper service of Order to Show Cause No. E19-019895 was made upon Respondent.

2. The Commissioner issued Order to Show Cause No. E19-019895 (“Order to Show Cause”) on November 25, 2019.

3. By letter dated December 3, 2019, my office served a copy of the Order to Show Cause on Respondent via regular and certified mail, return receipt requested, at the following

address for Respondent on file with the Department: 652 Garden Street, Elizabeth, New Jersey 07202. (Attached as Exhibit 1 is a true and correct copy of the December 3, 2019 cover letter).

4. The certified mail was delivered to Respondent, and the return receipt was signed and mailed back to the Department. (Attached as Exhibit 2 is a copy of the signed return receipt).

5. The regular mail was not returned to my office.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



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Garen Gazaryan

Dated: March 9, 2022

# Exhibit 1





*State of New Jersey*

OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF LAW  
25 MARKET STREET  
PO Box 117  
TRENTON, NJ 08625-0117

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

GURBIR S. GREWAL  
*Attorney General*

MICHELLE L. MILLER  
*Director*

December 3, 2019

**VIA CERTIFIED AND REGULAR MAIL**

Cali Auto Sales Inc  
652 Garden Street  
Elizabeth, New Jersey 07202

Re: Proceedings by the Commissioner of Banking and Insurance, State of New Jersey, to fine, and revoke and suspend the motor vehicle installment seller license of Cali Auto Sales Inc, Reference No. 1200435

**OTSC No. E19-019895**

Dear Sir or Madam:

I represent the New Jersey Department of Banking and Insurance ("Department"). Enclosed, please find Order to Show cause No. E19-019895 issued by the Commissioner of the Department on November 25, 2019. The Order to Show Cause charges Cali Auto Sales Inc. with various violations of the laws of the State of New Jersey, and orders it to appear and show cause as to why its motor vehicle installment seller license should not be suspended or revoked, and why other administrative fines and costs should not be imposed.

You have the right to request an administrative hearing in regard to these allegations. Complete instructions on how to request a hearing are contained within the enclosed Order to Show Cause.

Briefly here, a request for hearing must provide a specific statement responding to each charge alleged in the Order to Show Cause, specifically admit or deny each fact



alleged in the Order to Show Cause, identify any facts of which you have no specific knowledge, and identify any defenses intended to be asserted in response to each charge. N.J.A.C. 11:17D-2.1(d). The request for hearing must be received by the Department within twenty (20) days of service of the Order to Show Cause upon you. The request for hearing should be sent to: Paulette Sibblies-Flagg, Chief of Investigations, Department of Banking and Insurance, P.O. Box 040, Trenton, New Jersey 08625. A copy of the request for a hearing shall also be sent to my office address by mail or by fax to (609)777-3503. If you fail to respond to this Order to Show Cause within the time provided, a Final Order will be issued by the Commissioner.

Thank you for your attention to this matter.

Sincerely yours,

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Garen Gazaryan  
Garen Gazaryan  
Deputy Attorney General

Enclosure

# Exhibit 2

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Cali Auto Sales Inc  
652 Garden Street  
Elizabeth, NJ 07202**



9590 9402 3824 8032 7156 96

2. Article Number (Transfer from service label)

7011 0110 0000 4649 5298

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery