

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

_____	)	ORDER TO SHOW CAUSE
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 Pinto	)	
Automotive Group LLC,	)	
Reference No. 1300388.	)	
_____	)	

TO: Pinto Automotive Group LLC  
1018 Brunswick Avenue  
Trenton, New Jersey 08638

THIS MATTER having been opened by the Commissioner of the New Jersey Department of Banking and Insurance (“Commissioner”), upon information that Pinto Automotive Group LLC (“Respondent”), may have violated various provisions of the New Jersey 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; and

WHEREAS, pursuant to N.J.S.A. 17:16C-15, the Commissioner, if she has reasonable cause to believe that any licensee, or any other person, has violated any of the provisions of the Act or of any other law relating to retail installment sales or contracts, shall have the power to

make such investigations as she shall deem necessary, and may examine the books, accounts, records and files of such licensee or any other such person believed to have violated the Act or any other law relating to retail installment sales or contracts; and

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, pursuant to N.J.S.A. 17:16C-56, any person conducting business the Act and any director, officer, partner, member, employee, agent, or representative thereof who shall

knowingly violate any provision of the Act or shall directly or indirectly counsel, aid or abet such violation shall be liable to a penalty of not more than \$500.00 for each offense; and

**COUNT 1**

IT APPEARING that Respondent was first licensed with the Department as a motor vehicle installment seller in June 2013; and

IT FURTHER APPEARING that Respondent's motor vehicle installment seller license expired on June 30, 2017 because Respondent failed to renew it; and

IT FURTHER APPEARING that Respondent applied for a new motor vehicle installment seller license on November 2, 2018; and

IT FURTHER APPEARING that in the new license application, Respondent disclosed continuing to engage in the motor vehicle installment seller business with an expired license; and

IT FURTHER APPEARING that on November 14, 2018, Respondent obtained a new motor vehicle installment seller license; and

IT FURTHER APPEARING that by engaging in the motor vehicle installment seller business with an expired license, Respondent violated N.J.S.A. 17:16C-2; N.J.S.A. 17:16C-10(a)(1), (a)(5), and (a)(6); and

**COUNT 2**

IT FURTHER APPEARING that by email dated March 8, 2019, the Department investigator requested that Respondent provide copies of installment sales contracts which Respondent issued with an expired license; and

IT FURTHER APPEARING that Respondent failed to respond to the Department's request and failed to provide the required documents; and

IT FURTHER APPEARING on July 20, 2021, the Department sent a demand letter to Respondent by certified and regular mail requesting that Respondent provide the following

documents: (1) copies of all executed New Jersey retail installment contracts and retail purchase agreements from July 1, 2017 to November 14, 2018; and (2) list of all the finance companies/lenders used for the above referenced transactions during the same timeframe; and

IT FURTHER APPEARING that Respondent failed to respond to the Department's demand letter and failed to provide the required documents; and

IT FURTHER APPEARING that by failing to submit to the Department's investigation and by failing to provide the requested documents, Respondent violated N.J.S.A. 17:16C-15, N.J.S.A. 17:16C-10(a)(1), (a)(5), and (a)(6); and

NOW, THEREFORE, IT IS on this 15 day of March 2022,

ORDERED that Respondent appear and show cause why its motor vehicle installment seller license shall not be revoked, pursuant N.J.S.A. 17:16C-10; and

IT IS FURTHER ORDERED that Respondent appear and show cause why the Commissioner should not assess a civil penalty of not more than \$1,000.00 for each act of conducting business without a license, pursuant to N.J.S.A. 17:16C-55, and a civil penalty of not more than \$500.00 for any other violation of the Act, pursuant to N.J.S.A. 17:16C-56; and

IT IS FURTHER ORDERED that Respondent has the right to request an administrative hearing, to be represented by counsel or other qualified representative, at their own expense, to take testimony, to call or cross-examine witnesses, to have subpoenas issued, and to present evidence or argument if a hearing is requested; and

IT IS FURTHER ORDERED that unless a request for a hearing is received within twenty (20) days of the service of this Order to Show Cause, the right to a hearing in this matter shall be deemed to have been waived by Respondent and the Commissioner shall dispose of this matter in accordance with law. A hearing may be requested by emailing the request to Paulette Sibblies-Flagg at [paulette.sibblies-flagg@dobi.nj.gov](mailto:paulette.sibblies-flagg@dobi.nj.gov) and mailing a copy to Paulette Sibblies-Flagg, OCF

Investigations Unit, Department of Banking and Insurance, P.O. Box 040, Trenton, New Jersey 08625. A copy of the request for a hearing shall also be emailed to Deputy Attorney General Garen Gazaryan at [garen.gazaryan@law.njoag.gov](mailto:garen.gazaryan@law.njoag.gov) and a copy mailed to P.O. Box 117, Trenton, New Jersey 08625.

The request shall contain the following:

- A. Respondent's full name, address, and daytime telephone number;
- B. A statement referring to each charge alleged in this Order to Show Cause and identifying any defense intended to be asserted in response to each charge. Where the defense relies on facts not contained in the Order to Show Cause, those specific facts must be stated;
- C. A specific admission or denial of each fact alleged in this Order to Show Cause. Where Respondent has no specific knowledge regarding a fact alleged in the Order to Show Cause, a statement to that effect must be contained in the hearing request. Allegations of this Order to Show Cause not answered in the manner set forth above shall be deemed to have been admitted; and
- D. A statement requesting a hearing.



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Marlene Caride  
Commissioner