

STATE OF NEW JERSEY



DEPARTMENT OF BANKING AND INSURANCE DIVISION OF BANKING

CONSENT ORDER NO. E18-019371

IN THE MATTER OF:)
AVI AUTO SALES, INC.) CONSENT ORDER
REF. NO. 8400768)

AVI AUTO SALES, INC.)
ATTN: ABRAHAM LEVY)
430 WHITE HORSE PIKE)
MAGNOLIA, NJ 08049)

This matter having been opened by the Office of Consumer Finance within the Division of Banking of the New Jersey Department of Banking and Insurance ("Department") upon information that AVI Auto Sales, Inc. ("Licensee"), a licensed motor vehicle installment seller pursuant to The Retail Installment Sales Act of 1960, N.J.S.A. 17:15C-1 et. seq. (the "Act"), may have violated certain provisions of the Act: and

WHEREAS IT APPEARS that Licensee may have violated the following:

1. N.J.S.A. 17:16C-2 Necessity of license "No person shall hereafter 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 this act..."

Based on evidence obtained from the Department's Licensing Unit, Licensee was found to have conducted business without first obtaining a license pursuant to the Act.

AND WHEREAS, in the event that the Commissioner issued an administrative Order to Show Cause to Licensee addressing the above-referenced apparent violations, Licensee would be entitled to

request a hearing of the matter as a contested case in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.; and

WHEREAS Licensee understands these rights and has voluntarily waived the right to a hearing on the matters addressed in this Consent Order; and

WHEREAS, without making any admission of liability with respect to any of the apparent violations cited in this Consent Order, Licensee have agreed for purposes of settlement to undertake the following actions: E

1. Licensee shall ensure compliance with all regulatory requirements; and
2. Licensee shall submit annual reports for the years ending December 31, 2015, December 31, 2016 and December 31, 2017; and

WHEREAS, without making any admission of liability with respect to any of the apparent violations cited in this Consent Order, Licensee has agreed for purposes of settlement to pay civil administrative penalties in the amount of \$2,000.00; and

WHEREAS the provisions of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and regulations and the protection of the public health, safety and welfare, and are not intended to constitute debts which may be limited or discharged in bankruptcy proceedings; and

WHEREAS the parties to this Consent Order have determined that this matter is suitable for resolution upon the consent of the parties and that Licensee and the Commissioner desire to resolve this matter without a hearing or litigation, and for further good cause appearing:

NOW, THEREFORE, IT IS on this 17th day of October 2018, ORDERED AND AGREED as follows:

1. Licensee shall ensure compliance with all regulatory requirements.
2. License shall submit annual reports for the years ending December 31, 2015, December 31, 2016 and December 31, 2017.
3. Licensee shall pay civil administrative penalties in the amount of: \$2,000.00.


Payment shall be made as follows. The amount of said penalties is due in full upon entry into this Consent Order by means of a certified check, bank check or money order made payable to the "Treasurer, State of New Jersey" and forwarded with this Consent Order duly signed by an authorized representative of AVI Auto Sales, Inc. to:

Department of Banking and Insurance
Division of Banking
P.O. Box 040
Trenton, New Jersey 08625
Attention: Adrian M. Ellison

3. AVI Auto Sales, Inc. consents to the entry of this Consent Order as a Final Administrative Order, and AVI Auto Sales, Inc. understands that this Final Administrative Order may be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law, N.J.S.A. 2A:58-10 et seq.

Consented to with respect to
both form and content:

AVI Auto Sales, Inc.

By: 
Print Name: Adrian M. Ellison
Title: PN
Date: 10-12-18

It is so ordered:

MARLENE CARIDE, COMMISSIONER
NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE

By: 
Thomas M. Hunt, Assistant Division Director
Office of Consumer Finance