

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Sussex Country Auto & Trailer Exchange, Inc.
Reference No. 1400897

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CONSENT ORDER

TO: Sussex Country Auto & Trailer Exchange, Inc.
 292 Route 565
 Wantage, NJ 07461

THIS MATTER having been opened by the Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), upon information that Sussex Country Auto & Trailer Exchange ("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; 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

IT APPEARING that Respondent was first licensed with the Department as a motor vehicle installment seller in April 2014; and

IT FURTHER APPEARING that Respondent's motor vehicle installment seller license expired on June 30, 2019 because Respondent failed to renew it; and

IT FURTHER APPEARING that Respondent obtained a new motor vehicle installment seller license on July 16, 2019; and

IT FURTHER APPEARING that from July 1, 2019 to July 15, 2019, 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, 2019 to July 15, 2019, Respondent sold at least one (1) automobile with accompanying installment sales contract in New Jersey; and

IT FURTHER APPEARING that by selling an automobile with accompanying installment sales contract 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, Respondent was given notice of the aforesaid allegations and an opportunity to contest them at a hearing; and

WHEREAS Respondent admits and agrees to take responsibility for the aforementioned violations of the Act; and

WHEREAS Respondent has waived its right to a hearing on this matter and consents to payment of a penalty in the amount of \$1,000.00; and

WHEREAS this matter should be resolved, upon the consent of all parties without resort to a formal hearing; and

WHEREAS good cause exists to impose a civil penalty in this matter; and

NOW, THEREFORE, IT IS on this 25 day of April 2023,

IT IS ORDERED AND AGREED that simultaneously with execution of this Consent Order by Respondent, it shall pay a civil penalty in the amount of \$1,000.00 for the violation admitted to herein by certified check, official bank check, or money order made payable to the "Treasurer, State of New Jersey", which shall be sent to:

**Department of Banking and Insurance
Collections Bureau
P.O. Box 325
Trenton, New Jersey 08625
Attention: Rose McGill**

IT IS FURTHER ORDERED AND AGREED that the provisions of this Consent Order represent a final agency decision and constitute final resolution of the violations contained herein; and

IT IS FURTHER ORDERED AND AGREED that Respondent shall cease and desist from engaging in the conduct that gave rise to this Consent Order, and from any other violations of the Act.



Marlene Caride
Commissioner

CONSENTED TO AS TO FORM, CONTENT AND ENTRY:

Linda Sushance

Date: 4/17/23

By:

(On behalf of Sussex County Auto & Trailer Exchange, Inc.)

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(Title)