

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES**

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND
SECURITIES, COMPLIANCE OFFICE**

v.

MARTIN'S AUTO SALES, LLC.

Docket No. 25 0038 (BNK-CAO)

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities ("Department"), Compliance Office ("Office"), has reviewed the business practices of Martin's Auto Sales, LLC, Inc. ("MAS") and its officers, employees, and directors. Based on the results of its review, the Office concludes that MAS operated in violation of the Consumer Credit Code ("CCC") as it relates to motor vehicle installment sales, 12 Pa.C.S. § 6201 *et seq.* The parties to the above-captioned matter, in lieu of litigation, hereby stipulate that the following statements are true and correct in the settlement of the above-captioned matter and, intending to be legally bound, hereby agree to the terms of this Consent Agreement and Order ("Order").

BACKGROUND

1. The Department is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce the CCC.
2. MAS's principal place of business is located at 299 Wirt Avenue, Hanover, PA 17331.
3. MAS is licensed by the Department as an Installment Seller, license number 44163.

Use of Unlicensed Collector-Repossessors

4. Section 6252 (b)(3) of the CCC states in pertinent part... "Repossession of a motor vehicle when effected otherwise than by legal process under subsection (a) shall be made only by the following:...(3) A collector-repossessor licensed under this chapter." 12 Pa. C.S. § 6252(b)(3).

5. Section 6273 of the CCC states “A licensed seller or sales finance company acting as holder of a motor vehicle installment sale contract who hires, authorizes or permits an unlicensed collector-repossessor, as defined in this chapter, to collect payments on the contract or repossess a motor vehicle sold under the contract within this Commonwealth commits a violation of this chapter and shall, upon conviction, be sentenced at the discretion of the court to the following: (1) Pay a fine of not more than \$2,000 for the first offense. (2) For each subsequent offense, to either or both of the following: (i) Pay a fine of not more than \$2,000. (ii) Imprisonment for not more than one year.” 12 Pa. C.S. § 6273.

6. The Department conducted an examination of MAS from September 24, 2025, to October 3, 2025. The results of the examination found MAS engaged in the act of ordering vehicle repossession to entities who are not licensed as collector-repossessors by the Department.

Authority of the Department

7. The CCC grants the Department the authority to issue orders as may be necessary for the enforcement of the CCC. 12 Pa.C.S. § 6203(a)(5).

8. 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 department of not more than \$2,000 for each offense.” 12 Pa. C.S. § 6274.

VIOLATION

9. MAS violated Section 6252(b)(3) and 6273 of the CCC when it engaged in business with unlicensed collector-repossessors. 12 Pa. C.S. § 6252 (b)(3) & § 6273.

RELIEF

10. Fine. MAS agrees to pay a fine of five hundred dollars (\$500) due within thirty (30) days of the Effective Date of the Order as defined in paragraph 17 below. The fine payment shall be made through the Department portal at <https://www.portal.dobs.pa.gov>.

FURTHER PROVISIONS

11. Consent. MAS hereby knowingly, willingly, voluntarily, and irrevocably consents to the entry of this Order pursuant to the Department's order authority under the CCC and agrees that it understands all of the terms and conditions contained herein. MAS, by voluntarily entering into this Order, waives any right to a hearing or appeal concerning the terms, conditions and/or penalties set forth in this Order.

12. Consumer's Rights. This Order shall not limit or impair any consumer's rights under CCC. 12 Pa.C.S. § 6236.

13. Publication. The Department will publish this Order pursuant to its authority in Section 302.A.(5) of the Department of Banking and Securities Code. 71 P.S. § 733-302.A.(5).

14. Entire Agreement. This Order contains the whole agreement between the parties. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kind whatsoever concerning this Order. This Order may be amended in writing by mutual agreement by the Office and MAS.

15. Binding Nature. The Department, MAS, and all officers, owners, directors, employees, heirs and assigns of MAS intend to be and are legally bound by the terms of this Order.

16. Counsel. This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

17. Effectiveness. MAS hereby stipulates and agrees that the Order shall become effective on the date that the Office executes this Order ("Effective Date").

18. Other Enforcement Action.

- a. The Department reserves all of its rights, duties, and authority to enforce all statutes, rules and regulations under its jurisdiction against MAS in the future regarding all matters not resolved by this Order.

- b. MAS acknowledges and agrees that this Order is only binding upon the Department and not any other local, state, or federal agency, department, or office regarding matters within this Order.

19. Authorization. The parties below are authorized to execute this Order and legally bind their respective parties.

20. Counterparts. This Order may be executed in separate counterparts and by facsimile or electronic format.

21. Titles. The titles used to identify the paragraphs of this document are for the convenience of reference only and do not control the interpretation of this document.

WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Department of Banking and Securities, Compliance Office, Martin's Auto Sales, LLC, intending to be legally bound, do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
BANKING AND SECURITIES,
COMPLIANCE OFFICE**

Redacted

Tayler McCoy, Acting Director of Compliance
Compliance Office
Pennsylvania Department of Banking and
Securities

Date: 11/10/2025

FOR MARTIN'S AUTO SALES, LLC

Redacted

(Officer Signature)

Blanca E. Barajas
(Print Officer Name)

Member Owner
(Title)

Date: 11/07/2025