

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES

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

v. :

GARY TOWING SERVICE :
& ROAD ASISTEN, LLC :

DOCKET NO. 26 0006 (BNK-ORD)

NOTICE OF DEFEND

You, Gary Towing Service & Road Asisten, LLC, are required to answer the attached Order to Show Cause (“OSC”) by filing an Answer, in writing, with the Docket Clerk **within 15 days** of the date of this Order as required by 1 Pa. Code § 35.37. **If the Docket Clerk does not receive your Answer within 15 days, you will waive your right to a hearing, the allegations may be deemed factual, and the Order may become final. Final orders of the Department may be appealed to the Pennsylvania Commonwealth Court. See, 42 Pa. C.S. § 702; and § 763.**

Your Answer must be in writing. Your Answer must specifically admit or deny the allegations in the Order, set forth the facts you rely upon and state concisely the law you rely upon. General denials of the allegations set forth in the Order are not sufficient; you must support your denials with specific facts. Failure to support your denials with specific facts may cause the Commission to deem the facts in the Order as admitted and to enter a final order against you, without a hearing.

The Answer and any other documents relating to this matter must be filed via first class mail and electronic mail with the Docket Clerk:

Docket Clerk
Department of Banking and Securities
17 North Second Street, Suite 1300
Harrisburg, PA 17101
Email: RA-BNDOCKETCLERK@pa.gov

Further, you must serve a copy of the Answer and any other documents on the person who signed the attached Order by providing a hard and electronic copy to his or her counsel indicated below:

Office of Chief Counsel
Department of Banking and Securities
17 North Second Street, Suite 1300
Harrisburg, PA 17101
Email: RA-BNCHIEFCOUNSEL@pa.gov

Once you file your Answer, you will be notified of pertinent information such as the name of the presiding officer designated by the Commission to hear this matter and, if a hearing is scheduled, the date, time and location of the hearing. You have the right to be represented by an attorney.

All procedural matters will be governed by the Pennsylvania Administrative Agency Law, 2 Pa. C.S. §§501-508, 701-704, and the General Rules of Administrative Practices and Procedures, 1 Pa. Code §§31.1-35.251.

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& ROAD ASISTEN, LLC**

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ORDER TO SHOW CAUSE

AND NOW, this 2nd day of March, 2026, this Order to Show Cause (“OSC”) is hereby issued directing Gary Towing Service and Road Asisten, LLC (“GTS”) to answer the following averments and show cause why the Pennsylvania Department of Banking and Securities (“Department”) should not impose the penalty set forth as authorized by law:

1. The Department is the Commonwealth of Pennsylvania’s administrative agency authorized and empowered to administer and enforce the Consumer Credit Code (“CCC”), 12 Pa.C.S. § 6201 *et seq.*, as it relates to collections-repossessions.

2. The Department’s Compliance Office (“Compliance Office”) is primarily responsible for administering and enforcing the CCC for the Department.

3. GTS maintains its principal places of business at 21 N. Main Street, Dover, Pennsylvania 17315 and Redacted .

BACKGROUND

4. The CCC, 12 Pa.C.S. § 6201 *et seq.*, as it relates to collections-repossessions, imposes a license requirement on collector-repossessor activities.

5. A collector-repossessor is “[a] person who, as an independent contractor and not as a regular employee of an installment seller or a sales finance company, collects payments on

installment sale contracts or repossesses motor vehicles that are the subject of installment sale contracts.” 12 Pa.C.S. § 6202.

6. Section 6211(a) of the CCC states that a collector-repossessor may engage or continue to engage in this Commonwealth as a principal, employee, agent or broker only as authorized in this chapter under a license issued by the department. 12 Pa.C.S. § 6211.

7. GTS is not and has never been licensed by the Department as a collector-repossessor.

Operating as an Unlicensed Collector-Repossessor

8. In October of 2025, the Department discovered GTS had been operating as an unlicensed collector-repossessor.

9. From on or about April 30, 2021, to on or about October 16, 2025, GTS repossessed at least 12 motor vehicles that were the subject of installment sale contracts.

10. From October 16, 2025, to November 5, 2025, the Compliance Office attempted to reach GTS multiple times through email and phone calls. GTS did not respond to any of the Department’s emails, calls, or voicemails.

11. On November 5, 2025, Hildi Cardenas, representing GTS, contacted the Department to discuss the request for information. On November 7, Ms. Cardenas responded to the request for information by providing a spreadsheet, recovery orders, and merchant contracts relating to any collector-repossessor activity on behalf of GTS.

12. From November 12, 2025 to January 16, 2026, the Compliance Office attempted to reach GTS multiple times through email and phone to discuss the status of its collector-repossessor license. GTS did not respond to any of the Department’s emails, calls, or voicemails.

AUTHORITY

13. Section 202 of the Department of Banking and Securities Code, 71 P.S. § 733-1 *et seq.*, authorizes the Department to issue orders as necessary and appropriate to administer any statute within the Department's jurisdiction. 71 P.S. § 733-202.D.

14. 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).

15. 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

16. By engaging in collector-repossessor activities without obtaining a collector-repossessor license, GTS violated Section 6211(a)(3) of the CCC. 12 Pa.C.S. § 6211(a)(3).

17. Because GTS is not a licensed collector-repossessor, each of the twelve (12) reprocessed motor vehicle constituted a violation of the CCC. Pursuant to section 6274, the Department can issue a civil penalty against GTS for \$2,000 for each offense. *See* 12 Pa. C.S. § 6274.

RELIEF

WHEREAS, the Compliance Office respectfully requests the following penalties and relief pursuant to its authority under the CCC:

1. That Respondent GTS be ordered to pay a civil penalty of \$24,000, representing twelve (12) violations of the CCC at \$2,000 per violation.

2. That Respondent GTS be ordered to cease from engaging in any collector-repossessor activity unless or until it is licensed by the Department.

By:

Redacted

Deputy Secretary
Department of Banking and Securities

03/02/2026

(Date)



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **Order** upon the parties below, who constitute the only parties of record in this proceeding, in accordance with the requirements of 1 Pa. Code §§ 33.35, 33.36 and 33.37:

BY CERTIFIED AND FIRST-CLASS MAIL

Gary Towing Service & Road Asisten, LLC
21 N Main Street,
Dover, PA 17315

Gary Towing Service & Road Asisten, LLC
Redacted

Dated this 5th day of March 2026

Redacted

Eileen Smith, Legal Office Administrator
Office of Chief Counsel
FOR: Commonwealth of Pennsylvania
Department of Banking and Securities
17 N. Second Street, Suite 1300
Harrisburg, PA 17101
(717) 787-1471