

**STATE OF NEW HAMPSHIRE  
BANKING DEPARTMENT**

In The Matter of: Jeannette Auto Sales LLC d/b/a Charlie's Auto Village  
Case No. 15-180

**CONSENT ORDER**

**WHEREAS**, pursuant to RSA 361-A, the New Hampshire Banking Department ("Department") is charged with regulating persons that "engage in the business of a... retail seller" in New Hampshire.

**WHEREAS**, pursuant to RSA 361-A:6-a, the Department is authorized to examine the business affairs of any licensee or non-licensee sales finance company to determine compliance with the RSA 361-A.

**WHEREAS**, Jeannette Auto Sales LLC d/b/a Charlie's Auto Village ("Jeannette Auto") is a New Hampshire limited liability company with a principal office location in Pelham, New Hampshire, and a New Hampshire retail seller-licensee applicant.

**WHEREAS**, pursuant to its authority under RSA 361-A:5, VII and 361-A:6-a, I, the Department, through the Consumer Credit Division, conducted an investigation of Jeannette Auto.

**WHEREAS**, through its investigation, the Department found that:

1. From 2013 to 2015, Jeannette Auto arranged motor vehicle financing for one hundred eighty-one (181) consumers without a valid New Hampshire Retail Seller license, in violation of RSA 361-A:2, I.
2. Jeannette Auto is currently a pending New Hampshire Retail Seller licensee applicant.
3. Jeannette Auto fully cooperated with the Department regarding its unlicensed activity.

**WHEREAS**, Jeannette Auto makes the following acknowledgements:

1. Jeannette Auto hereby acknowledges that were an administrative hearing to be held in this matter, the Department would introduce evidence demonstrating that Jeannette Auto violated RSA 361-A:2, I.
2. Jeannette Auto voluntarily enters into and signs this Consent Order without reliance upon any discussions between the Department and Jeannette Auto, without the promise of a benefit of any kind (other than the concessions contained in this Consent Order), and without threats, force, intimidation or coercion of any kind.
3. The conduct described above constitutes violations of state law, which could result in penalties pursuant to RSA 361-A:11, VII.
4. Jeannette Auto understands the nature of the allegations set forth herein and that they constitute grounds for potential sanctions, as provided by law.
5. Jeannette Auto acknowledges, understands, and agrees that it has the right to notice and an adjudicatory hearing to contest the matters set forth herein, including any appeal, and hereby waives those rights. Jeannette Auto further acknowledges it waives the filing of any civil actions related to this matter.
6. Jeannette Auto understands that its action in entering this Consent Order is a final act and not subject to reconsideration or judicial review or appeal.
7. Jeannette Auto represents and warrants that it has all the necessary rights, powers and abilities to carry out the terms of this Consent Order.
8. Jeannette Auto acknowledges that the Department is relying upon Jeannette Auto's representations and warranties stated herein in making its determinations in this matter.

9. Jeannette Auto acknowledges that this Consent Order may be revoked and the Department may pursue any and all remedies available under the law against Jeannette Auto if the Department later learns that Jeannette Auto knowingly or willfully withheld information from the Department.
10. This Consent Order is binding on all heirs, assigns and successors in interest.

**WHEREAS,** Jeannette Auto consents to the Department imposing the following sanctions:

1. Jeannette Auto shall remit a penalty in the amount of \$22,000, for conducting unlicensed retail seller activity, as follows:
  - a. \$3,600 shall be paid contemporaneously with its execution of this Consent Order, by bank check made payable to the “State of New Hampshire;” and
  - b. The remaining \$18,400 shall be paid at \$1,840 per month with the first of such payments due November 1, 2016 and the first of each month thereafter until it is fully paid. Each payment made shall be by bank check made payable to the “State of New Hampshire.”
2. Failure by Jeannette Auto to comply with any portion of this Consent Order shall constitute a separate and sufficient basis for administrative action, up to and including license revocation and monetary penalties.

**NOW THEREFORE,** the Commissioner of the New Hampshire Banking Department enters the following ORDER:

1. The sanctions set forth above are hereby entered;
2. Pursuant to RSA 361-A:5, VI, the Commissioner finds this action necessary or appropriate to the public interest or the protection of consumers and consistent with the purposes fairly intended by the policy and provisions of this title;

3. This Order fully resolves this matter and the Commissioner will not take further action against Jeannette Auto for the allegations presented herein, provided that the Department may take enforcement action against Jeannette Auto for any violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms of this Order are not being observed or if any representation made by Jeannette Auto and reflected herein is subsequently discovered to be untrue;
4. Nothing herein is intended to alter any future statutory or regulatory requirements of licensure and the allegations set forth above may be fully taken into account by the Department in connection with future examinations and enforcement actions; and
5. This Consent Order shall become final when issued.

Recommended by:

\_\_\_\_\_  
/s/  
Maryam Torben Desfosses  
Hearings Examiner  
New Hampshire Banking Department

\_\_\_\_\_  
9/29/16  
Date

\_\_\_\_\_  
/s/  
Charlie Luna  
Co-Owner  
Jeannette Auto Sales LLC  
d/b/a Charlie's Auto Village

\_\_\_\_\_  
10/03/16  
Date

\_\_\_\_\_  
/s/  
Carmen Nieves  
Co-Owner  
Jeannette Auto Sales LLC  
d/b/a Charlie's Auto Village

\_\_\_\_\_  
10/03/16  
Date

