

In re: Southern Auto Plus, LLC, Mark Leroy, and
Patrick S. Broderick,
Respondents

Case No.: 15-184

NOTICE OF ORDER TO SHOW CAUSE FOR LICENSE SUSPENSION OF

RESPONDENT SOUTHERN AUTO PLUS, LLC'S

NEW HAMPSHIRE RETAIL SELLER LICENSE

("ORDER")

1. This Order commences an adjudicative proceeding under the provisions of RSA Chapter 361-A (including RSA 361-A:3,I through IV, RSA 361-A:5,IV, and RSA 361-A:11,I through VIII) and RSA Chapter 541-A.
2. The Commissioner may issue an order requiring Respondents to show cause why the license should not be suspended. RSA 361-A:3,I and I-a(e).
3. The Department reserves its right pursuant to RSA 361-A:5,IV to amend this Order or issue or rescind such orders as are reasonably necessary to carry out the provisions of RSA Chapter 361-A.

RESPONDENTS

4. Southern Auto Plus, LLC ("Respondent Southern Auto") is a limited liability company duly formed in the State of New Hampshire on July 28, 2014 with a principal office location in Manchester, New

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- Hampshire. Southern Auto has been licensed with the New Hampshire Banking Department ("Department") as a New Hampshire Retail Seller since August 27, 2014. Respondent Southern Auto is a Retail Seller and a Person. RSA 361-A:1,VIII and XII.
5. Mark Leroy ("Respondent Leroy") is the 50% direct owner, control person and Member of Respondent Southern Auto. Respondent Leroy is a Control person (RSA 361-A:1,III-b), a Direct Owner (RSA 361-A:1,III-d), a Principal (RSA 361-A:1,VIII-a), and a Person (RSA 361-A:1,VIII).
 6. Patrick S. Broderick ("Respondent Broderick") is the 50% direct owner, control person and Member of Respondent Southern Auto. Respondent Broderick is a Control person (RSA 361-A:1,III-b), a Direct Owner (RSA 361-A:1,III-d), a Principal (RSA 361-A:1,VIII-a), and a Person (RSA 361-A:1,VIII).
 7. The above-named Respondents are hereinafter collectively known as "Respondents."

RIGHT TO REQUEST A HEARING

8. Respondents each have a right to request a hearing on this Order. "A hearing, if requested shall be scheduled not later than 10 calendar days after the written request for such hearing is received by the

commissioner. . . ." RSA 361-A:3,I and I-a. If the Respondents "fail[] to request a hearing within 30 calendar days of receipt or valid delivery of the order and no hearing is ordered by the commissioner, then such person shall be deemed in default, and the order shall, on the thirty-first day, become permanent, and shall remain in full force and effect until and unless later modified or vacated by the commissioner, for good cause shown." Id.

9. If any person fails to appear at the hearing, such person shall be deemed in default, and the Order shall become permanent, all allegations may be deemed true, and shall remain in full force and effect until modified or vacated by the Commissioner for good cause shown. RSA 361-A:3,I, 541-A:31,V(a) and JUS 810.02.
10. A default herein may result in suspension of Respondents' New Hampshire Retail Seller license.

STATEMENT OF ALLEGATIONS

11. On July 15, 2015, the State of New Hampshire Department of Safety, Division of Motor Vehicles ("DMV"), indefinitely suspended Respondent Southern Auto's New Hampshire Dealer license for failing to file title applications and supporting documents on twenty-five (25) motor vehicles within ten (10) days of the date of

CERTIFICATE OF SERVICE

I, Maryam Torben Desfosses, hereby certify that on Oct 1, 2015, a copy of this Notice of Order to Show Cause for License Suspension of Respondent Southern Auto Plus, LLC's New Hampshire Retail Seller License was sent to the following parties via U.S. Certified Mail First Class:

Southern Auto Plus, LLC
2150 Candia Road
Manchester NH 03109

Mark Leroy
Owner
Southern Auto Plus, LLC
2150 Candia Road
Manchester NH 03109

Patrick S. Broderick
Owner
Southern Auto Plus, LLC
2150 Candia Road
Manchester NH 03109

/s/
Maryam Torben Desfosses
Hearings Examiner, Consumer Credit Division
State of New Hampshire Banking Department