

1 State of New Hampshire Banking Department

2

3 In re the Matter of:) Case No.: No. 08-085
)
 4 New Hampshire Banking Department,) Order for Default Judgment
)
 5 Petitioner,)
)
 6 and)
)
 7 Buy Here Pay Here LLC, and Ryan Crete,)
)
 8 Respondents)
)
 9)
)

10
11 Default Judgment

12 The Commissioner issued Cease and Desist Order ("Order") against the
 13 Respondents on June 23, 2008. The Respondents received the Order via hand-
 14 delivery by two New Hampshire Banking Department examiners on June 23, 2008.
 15 The Respondents failed to request a hearing or reach a settlement with the
 16 Department within thirty days as required to avoid Default.

17 It is hereby ORDERED, that:

- 18 1. By operation of law, default judgment was entered against each of the
 19 above named Respondents on August 26, 2008; and
- 20 2. The allegations contained in the Cease and Desist Order dated June 23,
 21 2008 are deemed true; and
- 22 3. Respondent Buy Here Pay Here LLC shall immediately pay to the
 23 Department \$25,000.00 for violation of RSA Chapter 361-A (\$2,500.00 per
 24 violation with 10 violations); and
- 25 4. Respondent Crete shall immediately pay to the Department \$25,000.00 for
 violation of RSA Chapter 361-A (\$2,500.00 per violation with 10
 violations);

1 5. Each of the above named Respondents shall be jointly and severally
2 liable; and

3 6. The Respondent shall repay the Consumer, who had purchased a motor
4 vehicle from Respondent Buy Here Pay Here LLC (as mentioned in Section
5 1, Paragraph 11 of the June 23, 2008 Cease and Desist Order), the down
6 payment of \$500.00 plus any other fees collected from this Consumer
7 since it appears the Consumer never received the vehicle; and

8 7. The Respondents shall, within thirty (30) days repay to consumers all
9 application fees collected as a result of their unlicensed activity,
10 with the following requirements:

11 a. Respondents shall give the Department all written and electronic
12 documentation indicating any and all (a) application fees charged
13 and collected, (b) finance charges charged and collected, (c)
14 delinquency fees charged and collected, and (d) collection
15 charges charged and collected;

16 b. Such written and electronic documentation shall include but not
17 be limited to, contracts, agreements, bank statements and
18 cancelled checks from consumers, or copies thereof; and

19 c. Respondents shall give the Department all written and electronic
20 documentation proving that payment was made to the consumers and
21 cashed by such consumers.

22 8. Failure to abide by this default judgment may result in civil and/or
23 criminal penalties.

24 SIGNED,

25 Dated: 9/9/08

/ S /
PETER C. HILDRETH
BANK COMMISSIONER