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DIFS/OGC

STATE OF MICHIGAN  
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Before the Director of the Department of Insurance and Financial Services

In the matter of:

**Gary R. Kasper**  
**dba Gary Kasper Motor Sales**

**Enforcement Case No. 18-15124**

License No. IS-0021391 (Pending)

Respondent.

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Issued and entered  
on May 18, 2018  
by Rhonda J. Fossitt  
Senior Deputy Director

**ORDER ACCEPTING STIPULATION AND REQUIRING COMPLIANCE AND PAYMENT OF FINES**

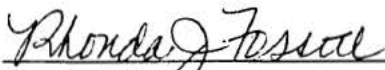
Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS), the Senior Deputy Director finds and concludes that:

1. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of the Department of Insurance and Financial Services (Director).
2. The Senior Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation and Requiring Compliance and Payment of Fines in this proceeding pursuant to the Michigan Administrative Procedures Act (APA), as amended, MCL 24.201 *et seq.*, and the Motor Vehicle Sales Finance Act (Act), 1950 PA 27, MCL 492.101 *et seq.*
3. All required notices have been issued in this case and the notices and service thereof were appropriate and lawful in all respects.
4. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
5. All applicable provisions of the APA have been met.
6. Respondent violated Section 3 of the Act, MCL 492.103.

Now therefore, based upon the Stipulation to Entry of Order and the facts surrounding this case, **IT IS ORDERED THAT:**

- A. Respondent shall comply with all terms agreed to in the Stipulation to Entry of Order. A violation of the Stipulation to Entry of Order is a violation of this Order.

- B. Respondent shall pay to the State of Michigan, through DIFS, administrative and civil fines in the amount of \$500.00. Respondent shall pay the fines within 30 days of the invoice date as indicated on the DIFS invoice.
- C. Respondent shall not engage in any violations of sections of the Act identified in paragraph 6 of this Order.
- D. The Senior Deputy Director retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as shall be deemed just, necessary, and appropriate in accordance with the Act. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order may result in the commencement of additional proceedings.

  
Rhonda J. Fossitt  
Senior Deputy Director

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**DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

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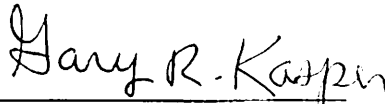
**STIPULATION TO ENTRY OF ORDER**


Gary R. Kasper dba Gary Kasper Motor Sales (Respondent) stipulates to the following:

1. On or about May 1, 2018, the Department of Insurance and Financial Services (DIFS) served Respondent with a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent had violated provisions of the Motor Vehicle Sales Finance Act (MVSFA), MCL 492.101 *et seq.*
2. The NOSC contained allegations that Respondent violated Sections 3, 4, and 6 of the Act, MCL 492.103, 104, and 106, and set forth the applicable laws and the penalties which apply.
3. Respondent exercised its right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
4. DIFS and Respondent have conferred and have agreed this matter may be resolved pursuant to the terms set forth below.
5. At all pertinent times, Respondent was not licensed with DIFS as an installment seller of motor vehicles. Between July 1, 2013, and December 31, 2017, Respondent entered into 36 installment sale contracts without the requisite license.
6. Respondent admits that it violated Section 3 of the MVSFA, MCL 492.103, by engaging in the business of selling, offering for sale, or leasing motor vehicles under installment sale contracts without the requisite license.
7. Respondent agrees that it will pay to the State of Michigan, through DIFS, administrative and civil fines in the amount of \$500.00. Respondent further agrees to pay the fine within 30 days of the invoice date as indicated on the DIFS' invoice.
8. Both parties have complied with the procedural requirements of the APA and the Act.
9. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Senior Deputy Director for approval.

10. The Senior Deputy Director may, in her sole discretion, decide to accept or reject the Stipulation to Entry of Order. If the Senior Deputy Director accepts the Stipulation to Entry of Order, Respondent waives the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation and Requiring Compliance and Payment of Fines. If the Senior Deputy Director does not accept the Stipulation to Entry of Order, Respondent waives any objection to the Director holding a formal administrative hearing and making a decision after such hearing.
11. Respondent has had an opportunity to review the Stipulation to Entry of Order and the proposed Order Accepting Stipulation and Requiring Compliance and Payment of Fines and have the same reviewed by legal counsel.
12. It is further stipulated that failure to comply with the Order of the Director accepting this Stipulation by failing to pay the administrative and civil fines as set forth above shall result in the commencement of an action to suspend (or to continue the suspension of) all licenses and registrations under the Act held by Respondent.
13. It is further stipulated that the amount of administrative and civil fines has been negotiated in return for the avoidance of further proceedings and certain promises and conditions, one of which is the timely payment of said administrative and civil fines. Should Respondent fail to pay the administrative and civil fines in accordance with the terms of this Stipulation and Order, the parties agree that an action will commence to determine if the Respondent has, in fact, failed to pay, and, if so, Respondent agrees that the administrative and civil fines will immediately increase to the maximum amount allowed under the Act and shall be immediately due in full.

**GARY R. KASPER**  
**DBA GARY KASPER MOTOR SALES**

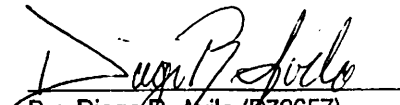
  
By: Gary R. Kasper

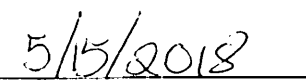
  
Dated

ITS:OWNER

DIFS Staff approve this Stipulation to Entry of Order and recommend that the Director issue an Order Accepting Stipulation and Requiring Compliance and Payment of Fines.

**Department of Insurance and Financial Services**

  
By: Diego R. Avila (P72657)  
Staff Attorney

  
Dated