

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Prime Time Auto Sales Inc.
IS-0022751 (Pending)

Enforcement Case No. 20-16136

Respondent.
_____ /

Issued and entered
on December 16, 2020
by Judith A. Weaver
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. 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.*
2. All required notices have been issued in this case and the notices and service thereof were appropriate and lawful in all respects.
3. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
4. All applicable provisions of the APA have been met.
5. Respondent violated Sections 3 and 4 of the Act, MCL 492.103 and 492.104.

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 \$1,000.00. 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 5 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.



Judith A. Weaver
Senior Deputy Director

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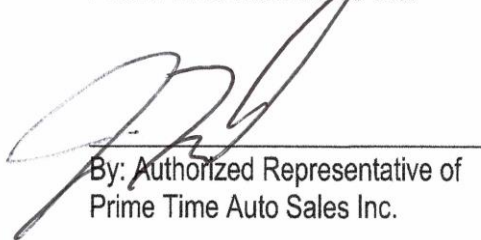
STIPULATION TO ENTRY OF ORDER

Prime Time Auto Sales Inc. (Respondent) stipulates to the following:

1. At all relevant times, Respondent was not a licensee under the Motor Vehicle Sales Finance Act (MVSFA), Act 27 of 1950, MCL 492.101 *et seq.*, and was not authorized to engage in MVSFA business as an installment seller of motor vehicles under installment sale contracts in this state.
2. Respondent held an installment seller license under the MVSFA from October 17, 2018 until the license expired July 1, 2019.
3. Respondent has previously failed to timely renew its installment seller licenses in 2015, 2017, 2018, and now in 2019. Respondent was unlicensed from 7/1/15-1/5/16; 7/1/17-8/29/17; 7/1/18-10/16/18; and 7/1/19 to the present. Respondent has engaged in a pattern of allowing its installment seller license to expire and later in the year requesting a new license from DIFS.
4. DIFS received information that Respondent engaged in unlicensed motor vehicle installment seller activity by granting up to 32 installment sale contracts after June 30, 2019.
5. On or about January 3, 2020, DIFS informed Respondent that it must immediately cease all unlicensed motor vehicle installment sales activity. Additionally, DIFS informed Respondent to contact DIFS to apply for licensure.
6. On or about January 24, 2020, Respondent submitted an installment seller license application, pursuant to the Act.
7. DIFS and Respondent have conferred and have agreed this matter may be resolved pursuant to the terms set forth below.
8. Respondent admits that it violated Section 3 of the Act, 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.
9. Respondent admits that it violated Section 4 of the Act, MCL 492.104, by failing to timely file an application for renewal of its license on or before June 16, 2019.

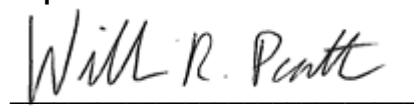
10. Respondent agrees that it will pay to the State of Michigan, through DIFS, administrative and civil fines in the amount of \$1,000.00. Respondent further agrees to pay the fine within 30 days of the invoice date as indicated on the DIFS' invoice.
11. Both parties have complied with the procedural requirements of the APA and the Act.
12. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Senior Deputy Director for approval.
13. 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.
14. 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.
15. 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.
16. 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.

Prime Time Auto Sales Inc.


By: Authorized Representative of
Prime Time Auto Sales Inc.

12/9/20
Dated

Department of Insurance and Financial Services


William R. Peattie
Staff Attorney

Dated: December 14, 2020