

1 ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS

2 In the Matter of the Unlicensed Activity of:

No. 12F-BD035-SBD

3 **ONLINE AUTOMOTIVE GROUP LLC,**
4 **EDWARD Q. MOSES, EDWARD MOSES**
5 **AND SEAN WILLIAMS, MEMBERS**
1745 W. Deer Valley Rd., Suite 110
Phoenix, Arizona 85027

CONSENT ORDER

6 Respondents.

7 On October 20, 2011, the Arizona Department of Financial Institutions ("Department")
8 issued an Order to Cease and Desist; Notice of Opportunity For Hearing; Consent to Entry of Order,
9 alleging that Respondents had violated Arizona law. Following an informal settlement conference
10 with the Department, Respondents wish to resolve this matter in lieu of an administrative hearing
11 and consent to the following Findings of Fact and Conclusions of Law, and consents to the entry of
12 the following Order.

13
14 FINDINGS OF FACT

15 1. Respondent Online Automotive Group LLC ("Online Automotive") is an Arizona
16 limited liability company that is not authorized to transact business in Arizona as a motor vehicle
17 dealer within the meaning of A.R.S. § 44-281 *et seq.*

18 2. Respondents Edward Q. Moses, Edward Moses and Sean Williams (collectively,
19 "Individual Respondents") are Members responsible for management of Online Automotive and are
20 not authorized to transact business in Arizona as motor vehicle dealers within the meaning of A.R.S.
21 § 44-281 *et seq.*

22 3. The nature of Online Automotive's business, at all times material hereto, is that of a
23 motor vehicle dealer within the meaning of A.R.S. § 44-281(3).

24 4. Online Automotive and Individual Respondents are not exempt from licensure as a
25 motor vehicle dealer within the meaning of A.R.S. § 44-282(J).
26

1 4. Neither Online Automotive nor Individual Respondents meet any of the exemptions to
2 the licensing requirements set forth in A.R.S. § 44-282(J).

3 5. The violations, set forth above, constitute grounds for: (1) the issuance of an order
4 pursuant to A.R.S. § 6-137 directing Respondents to cease and desist from the violative conduct and
5 to take the appropriate affirmative actions, within a reasonable period of time prescribed by the
6 Superintendent, to correct the conditions resulting from the unlawful acts, practices, and
7 transactions; (2) the imposition of a civil monetary penalty pursuant to A.R.S. § 6-132; and (3) an
8 order or any other remedy necessary or proper for the enforcement of statutes and rules regulating
9 motor vehicle dealers pursuant to A.R.S. §§ 6-123 and 6-131.

10 6. Pursuant to A.R.S. § 6-132, Respondents' violations of the aforementioned statutes are
11 grounds for a civil penalty of not more than five thousand dollars (\$5,000.00) for each violation for
12 each day.

13 **ORDER**

14 1. Online Automotive and Individual Respondents shall immediately stop all motor vehicle
15 dealer activity in Arizona until such time as Online Automotive and Individual Respondents have
16 obtained a motor vehicle dealer license from the Superintendent as prescribed by A.R.S. § 44-282.

17 2. Online Automotive and Individual Respondents shall immediately pay to the
18 Department a civil money penalty in the amount of **two thousand five hundred dollars**
19 **(\$2,500.00)**. Online Automotive and Individual Respondents are jointly and severally liable for
20 payment of the civil money penalty.

21 3. Online Automotive and Individual Respondents shall comply with all Arizona statutes
22 and rules regulating Arizona motor vehicle dealers (A.R.S. § 44-281 *et seq.*).

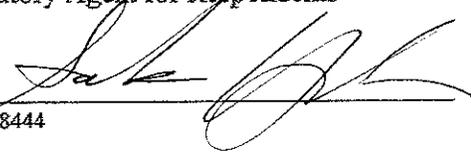
23 4. Should Online Automotive or Individual Respondents fail to comply with this Order, the
24 Superintendent shall institute further disciplinary proceedings.

25 5. The provisions of this Order shall be binding upon respondents, their employees, agents,
26 and other persons participating in the conduct of the affairs of Respondents.

1 AND COPY MAILED SAME DATE by
2 Certified Mail, Return Receipt Requested, to:

3 Online Automotive Group LLC
4 ATTN: Edward Q. Moses,
5 Edward Moses and Sean Williams
6 1745 W. Deer Valley Rd., Suite 110
7 Phoenix, AZ 85027
8 Respondents

9 Edward Q. Moses
10 25230 N. 93rd Way
11 Scottsdale, Arizona 85255
12 Statutory Agent for Respondents

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