

**STATE OF NEW HAMPSHIRE
BANKING DEPARTMENT**

In The Matter of: Family Certified Auto Plus, LLC, Gordan Savic, and Eduard Fandunyan,
Respondents
Case No. 15-263

ADDENDUM TO CONSENT ORDER

WHEREAS, pursuant to RSA 361-A:2, I, the New Hampshire Banking Department (“Department”) is charged with regulating persons that “engage in the business of a retail seller or a sales finance company” in New Hampshire.

WHEREAS, pursuant to RSA 361-A:5, IV, the commissioner may issue, amend, or rescind such orders as are reasonably necessary to carry out the provisions of RSA 361-A.

WHEREAS, Family Certified Auto Plus, LLC (“Family Certified”) is a Manchester, New Hampshire limited liability company and was a licensed New Hampshire retail seller until it surrendered its license with an effective date of February 22, 2016.

WHEREAS, Gordan Savic (“Savic”) was the 100% owner of and control person for Family Certified from December 22, 2014 until November 12, 2015 and a 70% owner until January 5, 2016, when he sold Family Certified to Eduard Fandunyan.

WHEREAS, Eduard Fandunyan (“Fandunyan”) was the 30% owner of Family Certified from November 12, 2015 until January 5, 2016, when he became the 100% owner and control person.

WHEREAS, Family Certified, Savic and Fandunyan shall be collectively known as “Respondents.”

WHEREAS, the Department submitted the Consent Order to Respondents for signature.

WHEREAS, on April 7, 2016, Savic signed the Consent Order.

WHEREAS, on April 18, 2016, Fandunyan signed the Consent Order on his behalf and on

behalf of Family Certified.

WHEREAS, on May 27, 2016, Respondent Savic submitted a payment of \$400 to satisfy a portion of the \$4,242.20 total due the Department pursuant to the Consent Order (\$2,500 administrative fine and \$1,742.20 examination fee).

WHEREAS, on May 27, 2016, Savic also requested a payment plan for the total remaining balance of \$3,842.20 due the Department pursuant to the Consent Order.

WHEREAS, this Addendum hereby modifies the Consent Order by providing Respondents with a payment plan to pay the remaining examination fee and administrative fine owed the Department.

WHEREAS, Respondents make the following acknowledgements:

1. Respondents voluntarily enter into and sign this Addendum without reliance upon any discussions between the Department and Respondents, without the promise of a benefit of any kind (other than the concessions contained in this Addendum), and without threats, force, intimidation or coercion of any kind.
2. Respondents understand that their action in entering this Addendum is a final act and not subject to reconsideration or judicial review or appeal.
3. Respondents represent and warrant that they have all the necessary rights, powers and abilities to carry out the terms of this Addendum.
4. Respondents acknowledge that the Department is relying upon Respondents' representations and warranties stated herein in making its determinations in this matter.
5. Respondents acknowledge that this Addendum may be revoked and the Department may pursue any and all remedies available under the law against Respondents if the

Department later learns that Respondents knowingly or willfully withheld information from the Department.

6. This Addendum is binding on all heirs, assigns and successors in interest.

WHEREAS, Respondents consent to the Department imposing the following:

1. Respondents shall remit the remaining amount of \$3,842.20 (in one or more payments) due the Department in full by October 1, 2016. Such payment or payments shall be by bank check made payable to the "State of New Hampshire."
2. Failure by Respondents to comply with any portion of this Addendum shall constitute a separate and sufficient basis for administrative action, up to and including license application denial or license revocation, and monetary penalties.

NOW THEREFORE, the Commissioner of the New Hampshire Banking Department enters the following Addendum:

1. Pursuant to both RSA 361-A:5, IV and agreement by all parties to this Addendum, the payment plan set forth above is hereby entered;
2. Pursuant to RSA 361-A:5, VI, the Commissioner finds this Addendum necessary or appropriate to the public interest or the protection of consumers and consistent with the purposes fairly intended by the policy and provisions of this title;
3. This Addendum fully resolves this matter and the Commissioner will not take further action against Respondents for the statements presented herein, provided that the Department may take enforcement action against Respondents for any violation of this Addendum or the matters underlying its entry, if the Commissioner determines that compliance with the terms of this Addendum, are not being observed or if any

representation made by Respondents and reflected herein is subsequently discovered to be untrue;

4. Nothing herein is intended to alter any future statutory or regulatory requirements of licensure and the allegations set forth above may be fully taken into account by the Department in connection with future examinations and enforcement actions; and
5. This Addendum shall become final when issued.

Recommended by:

/s/
Maryam Torben Desfosses
Hearings Examiner
New Hampshire Banking Department

August 2, 2016
Date

/s/
Mr. Eduard Fandunyan
Family Certified Auto Plus, LLC

08/26/2016
Date

/s/
Mr. Gordan Savic

08/02/16
Date

SO ORDERED.

/s/
Ingrid E. White
Deputy Commissioner
New Hampshire Banking Department

08/30/16
Date