

5. At all relevant and material times, Respondent did not hold a current registration to solicit charitable contributions within the Commonwealth of Pennsylvania.

6. At all relevant and material times, Respondent was not exempt from registration or excluded from the requirements of the Act.

STIPULATED FACTS

7. Respondent admits that the following allegations are true:

a. Respondent's last known business address is 2568 Darlington Road, Beaver Falls, PA 15010.

b. On or about September 20, 2005, Respondent entered into a contract with Municipal Marketing Services, Inc. (hereinafter "Municipal"), in which Municipal provided professional fundraising counsel services to the Respondent from on or about January 1, 2006 until December 31, 2008.

c. On or about November 12, 2008, Respondent entered into a second contract with Municipal, in which Municipal provided professional fundraising counsel services to the Respondent from on or about January 1, 2009 until December 31, 2010.

d. Due to Respondent's failure to register with the Bureau, Respondent has accrued late fees in the amount of \$1,335.00, and \$135.00 in outstanding registration fees

e. Respondent has not yet paid the \$1,335.00 in late fees or the \$135.00 in outstanding registration fees.

AGREED VIOLATIONS

8. Respondent admits and agrees that by engaging in the foregoing activities:
- a. Respondent repeatedly violated the Act at, 10 P.S. §162.15(a)(1), by and through 10 P.S. §162.5, by soliciting charitable contributions in Pennsylvania without being properly registered.

PROPOSED ORDER

9. The participants, intending to be legally bound, consent to issuance of the following Order in settlement of this matter:
- a. Respondent repeatedly violated the Act at 10 P.S. § 162.15(a)(1) by and through 10 P.S. §162.5.

ADMINISTRATIVE FINE

- b. An **ADMINISTRATIVE FINE** of five thousand dollars (\$5,000) is levied upon Respondent. Respondent shall tender the full sum of five thousand dollars (\$5,000), with this executed Consent Agreement which shall be paid by **certified check, cashier's check, attorney's check, or U.S. Postal money order made payable to the "Commonwealth of Pennsylvania."**
- c. Additionally, Respondent is required to pay its accrued registration and late fees in the sum of \$1,470.00.

CASE SETTLED AND DISCONTINUED

10. This case shall be deemed settled and discontinued upon the Secretary issuing an Order adopting this Consent Agreement and the Respondent's successful completion of any ordered discipline.

ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

11. Respondent waives the filing of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Bureau; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

AGREEMENT NOT BINDING ON OTHER PARTIES

12. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other governmental or administrative entity of the Commonwealth of Pennsylvania, including any other bureau within the Department of State. Except as otherwise noted, this Agreement is to have no legal effect if a) the Office of General Counsel expresses an objection to the Agreement's form or legality and/or b) unless and until the Secretary issues the stipulated Order.

EFFECT OF SECRETARY'S REJECTION

13. Should the Secretary not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Secretary shall not prejudice the Secretary from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Secretary does not approve this Consent Agreement.

ENTIRE AGREEMENT

14. This Agreement contains the whole agreement between the parties; provided, however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms,


obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever, concerning this Agreement.

AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES


15. The parties acknowledge that other federal, state, and/or local agencies may have jurisdiction over the activities of, or representations made by, Respondent and its officers, directors, agents, employees or independent contractors. Nothing in this Consent Agreement or the Order based upon this Consent Agreement shall preclude representatives of the Bureau from referring any information or data produced as a result of this matter to any federal, state, or local agency or governmental unit having jurisdiction over the activities of Respondent or any officer, director, agent, employee or independent contractor of the Respondent.

VERIFICATION OF FACTS AND STATEMENTS

16. Respondent verifies that the facts and statements set forth in this Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.



Jacquelyn E. Pfursich, Esquire
Prosecuting Attorney
Department of State

Chippewa Township Volunteer Fire
Department


By: Jay Owens
Title: President
Respondent

DATED: 3/1/12

DATED: 2/27/2012



**IN THE MATTER OF THE
CHIPPEWA TOWNSHIP VOLUNTEER FIRE DEPARTMENT
FILE NO. 12-98-00364**

ORDER

AND NOW, to wit, on this 7th day of March 2012, the terms of paragraph 9 of the foregoing Consent Agreement are hereby adopted and incorporated as the Order of the Secretary of the Commonwealth in resolution of this matter. This Order shall take effect immediately.

BY ORDER

A handwritten signature in cursive script, appearing to read "Carol Aichele".

Carol Aichele
Secretary of the Commonwealth