

**BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT  
STATE OF OKLAHOMA**

FILED
AUG 04 2016
STATE OF OKLAHOMA DEPARTMENT OF CONSUMER CREDIT

STATE OF OKLAHOMA, )  
ex rel, DEPARTMENT OF )  
CONSUMER CREDIT )  
 )  
Petitioner )  
 )  
v. )  
 )  
EPIC FITNESS, LLC, )  
d/b/a ANYTIME FITNESS, )  
 )  
Respondent )

Case No. 16-0041-DIS

**CONSENT ORDER**

The Petitioner, State of Oklahoma, ex rel., Department of Consumer Credit ("Petitioner") and the Respondent, EPIC FITNESS, LLC, d/b/a ANYTIME FITNESS, ("Respondent") voluntarily enter into this Consent Order as an informal disposition of this individual proceeding to avoid litigation. The Respondent agrees to waive its right to a hearing under the Oklahoma Administrative Procedures Act and both parties agree as follows:

(1) The Petitioner restates and incorporates by reference the allegations made by the Petitioner in the Notice of Hearing filed in this matter.

- i. The Respondent is an Oklahoma domestic limited liability company transacting business at 6414 NW Cache Rd., Lawton, Oklahoma 73505, under the name of Anytime Fitness.
- ii. The Respondent maintains an Internet website at [www.anytimefitness.com](http://www.anytimefitness.com) listing the Lawton, Oklahoma location.
- iii. The Respondent had previously filed notification to engage in consumer credit sales (NOT 84727) and was registered as a Health Spa (SPA00523), both of which have since expired.
- iv. On May 31, 2016, a consumer credit examiner entered the business premises of the Respondent and spoke with the Club Manager, Tonya Steidley,

about a gym membership. Ms. Steidley informed the examiner that the Respondent offers 3 month, 6 month, 12 month, and 18 month memberships. In addition, Ms. Steidley mentioned that the contracted membership could only be cancelled if the member became unable to work out or if the member moved more than 15 miles away from any location.

- v. The Internet website for the Respondent's location in Lawton, Oklahoma, states that memberships starting at \$34.99 per month and if a member is interested, a customized membership can be arranged.
- vi. As of June 15, 2016, the Respondent is not registered as a health spa in the State of Oklahoma.
- vii. The Respondent is not licensed in the State of Oklahoma pursuant to the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. 14A O.S. § 6-203(2).
- viii. The Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, on or before January 31, 2016.
- ix. Respondent has failed to pay the notification filing fee of \$120.00 for each business location pursuant to OKLA. ADMIN. CODE § 160:5-1-2(2)(A).

(2) The Respondent does not admit to the allegations made by the Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order.

(3) The Respondent agrees to pay all applicable registration/application fees and a \$5,000.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before July 24, 2016.

(4) The payment shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 16-0041-DIS and shall be addressed to the attention of Roy John Martin, General Counsel, Department of Consumer Credit, 3613 N.W. 56<sup>th</sup> Street, Suite 240,

Oklahoma City, Oklahoma 73112.

(5) A file stamped copy of this Consent Order will be returned to the Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

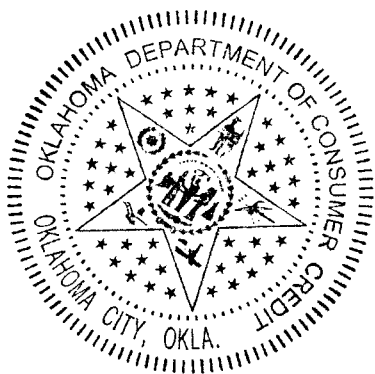
(6) The Respondent agrees to become licensed as a health spa as defined by the Oklahoma Health Spa Act. 59 O.S. § 2009(F), on or before July 24, 2016. The Respondent agrees to pay all applicable fees associated with the Health Spa license application.

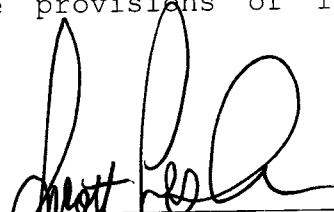
(7) The Respondent agrees to submit a notification license application, pursuant the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. 14A O.S. § 6-203(2), with applicable fees on or before July 24, 2016.

(8) The applications and applicable registration fees shall be submitted to the attention of Roy John Martin, General

Counsel, Department of Consumer Credit, 3613 NW 56<sup>th</sup> Street,  
Suite 240, Oklahoma City, Oklahoma 73112.

(9) If the Respondent fails to comply with the terms of  
this Consent Order, the Administrator of the Department of  
Consumer Credit is authorized to file an application to enforce  
this Consent Order in the District Court of Oklahoma County,  
Oklahoma in accordance with the provisions of 14 O.S. § 6-  
113(4).



  
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Scott Leshner  
Administrator  
State of Oklahoma  
Department of Consumer Credit

Dated: 8/4/16

  
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EPIC FITNESS, LLC,  
d/b/a ANYTIME FITNESS

Dated: 7-21-16

STATE OF Oklahoma )

COUNTY OF Oklahoma )

Signed and sworn to (or affirmed) before me on 21st July, 2016, by Derek S. Tumor of EPIC FITNESS, LLC, d/b/a ANYTIME FITNESS.

Derek S. Tumor  
Affiant



Suzanne R. Shoemaker

Notary Public

My commission expires: 11/16/18

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