

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT  
STATE OF OKLAHOMA

FILED  
DEC 13 2016  
STATE OF OKLAHOMA  
DEPARTMENT OF  
CONSUMER CREDIT

STATE OF OKLAHOMA ex rel, )  
DEPARTMENT OF CONSUMER CREDIT,) )  
Petitioner ) )  
v. ) )  
FISHERS AUTO MALL, INC. ) )  
Respondent ) )

Case No. 16-0207-DIS

CONSENT ORDER

The Petitioner, State of Oklahoma, ex rel., Department of Consumer Credit ("Petitioner") and the Respondent, Fishers Auto Mall, ("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 registered as a domestic for profit corporation in the State of Oklahoma, Oklahoma Secretary of State filing number 1900658604, active filing status.
- ii. The Respondent transacts business at 7820 S. Shields, Oklahoma City, OK 73149.
- iii. On November 9, 2016, Megan Patterson, a consumer credit examiner, entered the business premises of the Respondent and spoke to a gentleman named Tony. Tony did not provide his last name to the examiner.
- iv. The examiner asked Tony if the location offered in-house financing. Tony confirmed that the Respondent does engage in buy-her/pay-here financing. The examiner requested to see copies of contracts and Tony was reluctant to provide copies with the owner

present or without the owner's permission.

- v. The examiner asked Tony if the owner was available. Tony stated that the owner was not available and would likely not be available for the rest of the day. Tony didn't offer to contact the owner for the examiner to speak with him.
- vi. The examiner advised Tony that based on the information that he had provided, the business required a Notification filing from the Department. The examiner asked Tony to give the information to the owner so that the owner can contact the department for more information or if he has questions.
- vii. The examiner was not able to get a business card for the location nor was a business card offered by Tony to the examiner.
- viii. The examiner took photos of the Respondent's business location. There is a photo that shows a sign at the Respondent's business location stating "WE FINANCE", GOOD, BAD OR NO CREDIT" as well as a sign on the property that states "ON THE SPOT FINANCING" and "DOWN PAYMENTS AS LOW AS \$500.00 DOWN". In addition, a sign on the side of a building states "FINANCE HERE" with no credit check, on spot financing and you are approved on the sign. A window at the Respondent's business location states "BUY HERE, PAY HERE".
- ix. The Respondent maintains a Facebook website page at the following location: [www.facebook.com/pages/Fishers-Auto-Mall/126304710773614](http://www.facebook.com/pages/Fishers-Auto-Mall/126304710773614). On the Facebook page, "WE FINANCE" is listed on the page.
- x. As of November 29, 2016, the Respondent is 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). The application was received by the Department on November 28, 2016. The Respondent previously held a Notification permit in 2008 (NOT80372); said permit expired on February 1, 2009 and the Respondent didn't renew the license.

xi. The Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, on or before January 31, 2016.

(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 has paid all applicable registration/application fees and has filed a notification filing with the Department. The Respondent agrees to pay a **\$500.00** civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before January 9, 2017.

(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 16-0207-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.

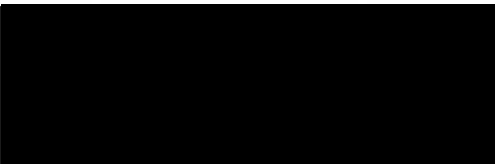
(5) A file stamped copy of this Consent Order will be returned to the Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

(6) 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).



Scott Leshner  
Administrator  
State of Oklahoma  
Department of Consumer Credit

Dated: 12/13/16



Floyd Fisher II  
Fishers Auto Mall, Inc.

Dated: 12/8/16

VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0207-DIS

STATE OF )  
 )  
COUNTY OF )

Signed and sworn to (or affirmed) before me on  
2016, by Floyd Fisher, II, of Fishers Auto Mall.

Dec. 8<sup>th</sup>

[Redacted Signature]

Floyd Fisher, II  
Fishers Auto Mall



[Redacted Notary Signature]

(Seal, if any)

Notary Public

My commission expires:

3/2/17