

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
ex rel, DEPARTMENT OF)
CONSUMER CREDIT)
)
Petitioner)
)
v.)
)
RECLAIM FITNESS STUDIO, LLC,)
)
Respondent)



Case No. 16-0221-DIS

CONSENT ORDER

The Petitioner, State of Oklahoma, ex rel., Department of Consumer Credit ("Petitioner") and the Respondent, Reclaim Fitness Studio, LLC, ("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 limited liability company in the State of Oklahoma, Oklahoma Secretary of State filing number 35122318412, active filing status.
- ii. The Respondent transacts business at 125 S. Scraper, Vinita, OK 74301 and 352 S. Wilson, Vinita, OK 74301.
- iii. On November 1, 2016, it was brought to the Department's attention that Reclaim Fitness Studio was listed in a Thrive Well Being email offering state employees a discounted fitness center membership. A review of the Department's records indicates that the Respondent is not currently licensed with the Department.

- iv. The Respondent maintains an Internet website at www.reclaimfitnessvinita.com listing the 125 S. Scraper St., Vinita, Oklahoma address. The internet site shows photos of exercise equipment as well as a class schedule listing the various classes available to members. Two styles of circuit training are available at the Respondent's locations, 12-piece hydraulic circuit and an 11-piece selectorized weight circuit.
- v. The Respondent's internet website has a "Become a Member" page. The page lists different membership packages available. A basic membership monthly rate is \$35.50 which includes use of equipment, unlimited tanning and unlimited sauna usage for one month. The Membership Plus package rate is \$50.50 and includes the basic membership package plus unlimited classes for one month. All members pay a one-time registration fee of \$10.00 added to the first month of membership. The facility offers contracts at \$32.50 per month for the basic package or \$45.50 for the Membership Plus package. A membership application is available on the website page. Members who sign a contract pay the monthly fee via an ACH debit.
- vi. The Respondent maintains a Facebook page at <https://www.facebook.com/ReclaimFitnessVinita>. The Facebook page states that a full circuit of hydraulic (curve-style) equipment, full line of cardio equipment, a full circuit of selectorized equipment and a variety of group classes/workouts are available to members.
- vii. As of December 6, 2016, the Respondent is not registered as a health spa in the State of Oklahoma.
- viii. 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).

- ix. The Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, on or before January 31, 2016.
- x. 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 \$10,000.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, in monthly installment as follows:

- (a) An initial payment of Twenty-Five Thousand Dollars (\$2,500.00) is due on or before February 6, 2017.
- (b) A monthly payment of Four Hundred Dollars (\$400.00) is due on or before the 1st of each month, beginning with March 15, 2017, until paid in full.
- (c) In the event, a civil penalty payment is not received by the Department on the due date as listed above in the payment schedule, all of Respondent's licenses will be suspended effective the date of the missed payment.

(4) The payments shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 16-0221-DIS and shall be addressed to the attention of Roy John Martin, General Counsel, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

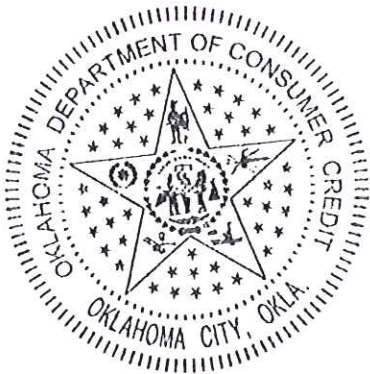
(5) A file stamped copy of this Consent Order will be returned to the Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

(6) The Respondent agrees to submit a health spa license application pursuant to the Oklahoma Health Spa Act, 59 O.S. § 2009(F), as to both locations, on or before February 6, 2017. 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 as to both locations, pursuant the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC, with applicable fees on or before February 6, 2017.

(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 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

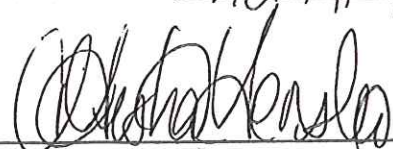
(9) If the Respondent fails to comply with the terms of this Consent Order, the Administrator of the Department of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 14 O.S. § 6-113(4).





Scott Lesher
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 1/27/17



Alisha Henslee
Reclaim Fitness Studio, LLC

Dated: 1/20/17

VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0221-DIS

STATE OF OKLAHOMA)
)
COUNTY OF Craig)

Signed and sworn to (or affirmed) before me on January 20, 2017,
by [Signature] of Alisha Henslee of Reclaim Fitness
Studio, LLC.

[Signature]
Alisha Henslee
Reclaim Fitness Studio, LLC

[Signature]

Notary Public

My commission expires:

1/20/19

(Seal, if any)

