

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
ex rel, DEPARTMENT OF)
CONSUMER CREDIT,)
)
Petitioner)
)
v.)
)
FINER PHYSIQUES, INC.,)
)
Respondent)

Case No. 16-0222-DIS



CONSENT ORDER

The Petitioner, State of Oklahoma, ex rel., Department of Consumer Credit ("Petitioner") and the Respondent, Finer Physiques, Inc., ("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 business corporation in the State of Oklahoma, Oklahoma Secretary of State filing number 1900577282, active filing status.
- ii. The Respondent transacts business at 2127 W. Willow, Enid, OK 73703.
- iii. On November 1, 2016, it was brought to the Department's attention that Finer Physiques 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.finerphysiques.com listing the Enid, Oklahoma address. The Respondent's internet site shows photos of exercise equipment and also shows a class schedule listing the weekly classes offered to the gym members.

- v. The Respondent maintains a Facebook page at <https://www.facebook.com/pages/Finer-Physiques/88777279066>. The Facebook page shows photos of various fitness equipment and also members engaged in fitness group classes.
- vi. The Internet website for the Respondent's location in Enid, Oklahoma, lists monthly memberships starting at \$40.00 for individuals and \$53 for a couple in addition to a \$45 joining fee. The family rate has an additional \$5 for each dependent fee per month. In addition, the Respondent offers pre-paid memberships for one month up to 6 months. The memberships offer 14-hour gym access. The memberships are paid through a bank draft.
- 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 \$5,000.00 civil penalty,

payable to the Oklahoma Department of Consumer Credit, in monthly installment as follows:

- (a) An initial payment of One Thousand Dollars (\$1,000) is due on or before January 9, 2017.
- (b) A monthly payment of Eight Hundred Dollars (\$800.00) is due on or before February 15, 2017, March 14, 2017, April 17, 2017, May 15, 2017 and June 15, 2017.
- (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 16-0222-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.

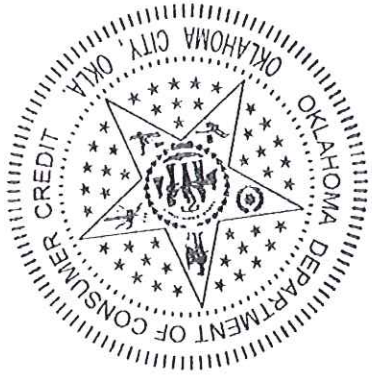
(5) A file stamped copy of this Consent Order will be returned to the Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

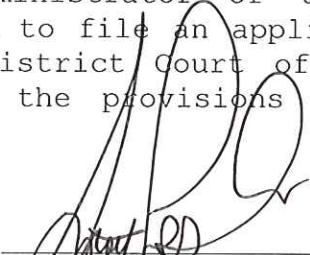
(6) The Respondent agrees to submit a health spa license application pursuant to the Oklahoma Health Spa Act, 59 O.S. § 2009(F), on or before January 9, 2017. The Respondent agrees to pay all applicable fees associated with the Health Spa license application.

(7) The Respondent agrees to submit a notification license application, pursuant the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC, with applicable fees on or before January 9, 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 Leshner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 1/10/17



Megan A. Liebl
Finer Physiques, Inc.

Dated: 1/6/17

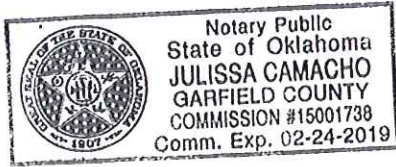
VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0222-DIS

STATE OF Oklahoma)
)
COUNTY OF Garfield)

Signed and sworn to (or affirmed) before me on January 6th, 2017,
by Megan A. Liebl of Megan A. Liebl, Finer Physiques,
Inc.

Megan A. Liebl
Megan A. Liebl
Finer Physiques, Inc.

(Seal, if any)



Julissa Camacho

Notary Public

My commission expires:

2.24.2019