

FILED

MAY 04 2017

STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner)
)
v.)
)
THORNTON GERMAN IMPORTS LLC,)
D/B/A DON THORNTON VOLKSWAGEN)
OF TULSA,)
)
Respondent)

Case No. 16-0287-DIS

CONSENT ORDER

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

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

- a. Respondent is a domestic limited liability company under the State of Oklahoma, Oklahoma Secretary of State filing number 3512371466, active filing status. Registered Agent is listed as Vaden F. Bales, 320 S. Boston Ave., Ste. 200, Tulsa, OK 74103.
- b. Respondent's tradename according to the Oklahoma Secretary of State is listed as Don Thornton Volkswagen of Tulsa, active status.
- c. Respondent transacts business at 4240 S. Memorial Drive, Tulsa, OK 74145.
- d. On December 14, 2016, Jimmie Ray and Michael Thompson, consumer credit examiners, entered Respondent's

business premises and spoke to Doug Vandam, General Sales Manager.

- e. The examiners asked Mr. Vandam if Respondent offered financing to consumers for vehicles at their location. Mr. Vandam explained the finance department handles all the financing paperwork for the consumers at the dealership. Mr. Vandam advised that at the dealership the consumers sign a retail dealer contract and the contract is assigned to a lender. Mr. Vandam, upon request showed the examiners a copy of a completed retail contract that listed customer signatures and financing terms. The contract listed Don Thornton VW of Tulsa as the seller. The examiners took a photo of the contract and the business card of Mr. Vandam. The examiners exited the building and took an exterior photo as they left the premises.
- f. A review of Respondent's website showed that customers can complete financing applications online.
- g. The copy of the Retail Installment Sale Contract of J. Barnhart lists the purchase of a 2017 Volkswagen GTI SE. The Seller is listed as Don Thornton Volkswagen of Tulsa with the business address listed. The terms of the contract are 72 monthly payments in the amount of \$472.54 with the first payment scheduled on January 27, 2017. Total sales price of the vehicle is \$36,022.88. An annual percentage rate of 4.74% is listed on the sales contract.
- h. Respondent is not a supervised financial organization or a person holding a license to make supervised loans issued under 14A O.S. § 3-501 et seq.
- i. As of December 20, 2016, Respondent is licensed in the State of Oklahoma pursuant to the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. The notification filing license application was received on December 16, 2016.
- j. Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, on or before January 31, 2016.

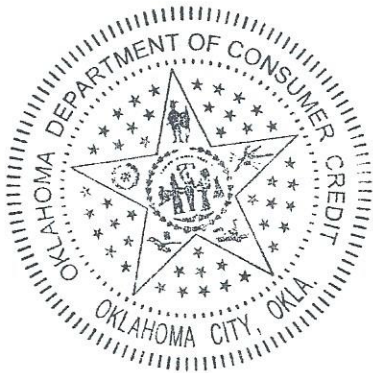
(2) Respondent does not admit to the allegations made by the Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order.

(3) Respondent agrees to pay a \$400.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before May 13, 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 16-0287-DIS and shall be addressed to the attention of J. Steven Coates, 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 Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

(6) If 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).



[Redacted signature area]

Scott Leshar
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 5/4/17

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Thornton German Imports LLC,
d/b/a Don Thornton Volkswagen
of Tulsa

Dated: 4-21-2017

VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0287-DIS

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

Signed and sworn to (or affirmed) before me on April 21st, 2017, by David Hitzinger of Thornton German Imports LLC, d/b/a Don Thornton Volkswagen of Tulsa.

[Redacted Signature]

Thornton German Imports LLC,
d/b/a Don Thornton Volkswagen of Tulsa

[Redacted Notary Signature]

(Seal, if any)

Notary Public

My commission expires:

2-17-2020

