

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA



STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner)
)
)
v.)
)
CACO-CHE MOTORS, INC.,)
)
)
Respondent)

Case No. 16-0319-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and the Respondent, Caco-Che Motors, Inc., ("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 for profit business corporation under the State of Oklahoma, Oklahoma Secretary of State filing number 1900622406, subject to suspension by the Oklahoma Tax Commission.
- b. Respondent transacts business at 1334 N. Lewis Ave., Tulsa, OK 74110.
- c. On November 30, 2016, April Ledgerwood and Karen Banks, consumer credit examiners, entered Respondent's business premises and spoke to Jose Gomez, Owner.
- d. Mr. Gomez stated that his wife was ill and takes care of all of the paperwork. He stated that on occasion he will offer financing to people that he knows, however the majority of his business is cash only. He shared with the examiners a copy of his purchase agreement and a blank contract that he has used in the

past. That was all he was able to provide to the examiners due to his wife being ill and not in the office.

- e. On February 21, 2017, Petitioner issued a subpoena duces tecum to Jose Gomez of Caco-Che Motors, Inc. at the address of 1334 N. Lewis Ave., Tulsa, OK 74110. Respondent was requested to submit documents no later than March 27, 2017. Ten (10) Retail Installment Sale Contracts were received on March 27, 2017.
- f. The copy of the Retail Installment Sale Contract for J. Gough lists the purchase of a 2006 Pontiac G6. The Seller is listed as Caco-Che Motors with the business address listed. The terms of the contract are monthly payments in the amount of \$200.00. Total sales price of the vehicle is \$3,300.00.
- g. The additional nine (9) Retail Installment Sales Contracts received all indicate the Seller as Caco-Che Motors with the business address listed.
- 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 8, 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 5, 2016. Respondent previously held a Notification license (NOT83578) in 2006; said license expired on December 31, 2009.
- 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.

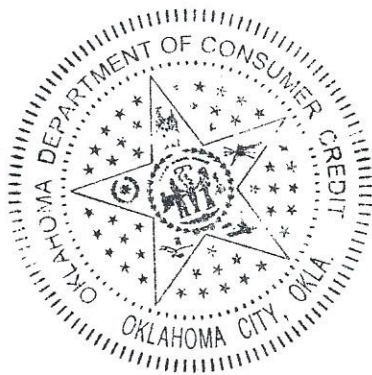
(3) In addition, the Respondent agrees to pay a \$500.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, in the following terms:

- (a) The Respondent agrees to make two (2) monthly installment payments in the amount of \$250.00 no later than the 25th of the month until paid in full. First installment payment is due on or before May 25, 2017.
- (b) If the Respondent misses a monthly payment, the Respondent's license will be suspended and the remaining balance will be due in full.

(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 16-0319-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 Leshner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated:

May 11, 2017

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Gaco-Che Motors, Inc.

Dated:

5-11-2017

