



**BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA**

STATE OF OKLAHOMA ex rel.)
DEPARTMENT OF CONSUMER CREDIT,))
)
 Petitioner)
)
v.) Case No. 17-0276-DIS
)
ALLEN LINEBERRY, INDIVIDUALLY,))
D/B/A AUTO ACCESS,)
)
 Respondent)

CONSENT ORDER

Petitioner, State of Oklahoma ex rel. Department of Consumer Credit ("Petitioner") and Respondent, Allen Lineberry, Individually, d/b/a Auto Access, ("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 does not have a business filing with the Oklahoma Secretary of State.
 - b. Respondent transacts business at 838 N. Main, Muskogee, OK 74401.
 - c. On May 17, 2017, Jimmie Ray and Michael Thompson, consumer credit investigators, entered Respondent's business premises and spoke to Nader Bassett, Manager.
 - d. The investigators asked Mr. Bassett if Respondent offers financing to consumers for vehicles at their location. Mr. Bassett explained the consumers sign loan paperwork at the dealership and Respondent carries the financing. Upon request, Mr. Bassett showed the investigators a copy of an executed retail contract that showed customer signatures and financing

terms. The investigators scanned a copy of the executed retail contract.

- e. On January 3, 2018, Petitioner issued a subpoena duces tecum to Nadar Bassett of Auto Access at the address of 838 N. Main Muskogee, OK 74401. Respondent was requested to submit documents no later than February 3, 2018. Ten (10) Retail Installment Sale Contracts were received on January 22, 2018.
- f. Respondent has engaged or offered to engage in making consumer credit sales. The copy of the Retail Installment Sale Contract for E. Garza lists the purchase of a 2007 Dodge Nitro. The Seller is listed as Auto Access with the business address listed. The terms of the contract are 39 monthly payments in the amount of \$350.00 with the first payment due on November 12, 2016. Total sales price of the vehicle is \$14,797.65. The interest rate is listed as 18.00%.
- g. 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.
- h. As of January 30, 2018, 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 January 22, 2018.
- i. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2017.

(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 \$500.00 civil penalty, payable to the Oklahoma Department of Consumer Credit in two installments of \$250.00 each, with the first installment due on or before April 27, 2018, and the second installment due on or before May 27, 2018.

(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 17-0276-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, 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 Lesner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 4/24/18

[Redacted signature area]

Allen Lineberry, Individually,
d/b/a Auto Access

Dated: 4-19-18

VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0276-DIS

STATE OF OKLAHOMA)

COUNTY OF Seig)

Signed and sworn to (or affirmed) before me on 19 April,
2018, by Allen Lineberry of Allen Lineberry,
Individually, d/b/a Auto Access.



Allen Lineberry, Individually,
d/b/a Auto Access



(Seal, if any)

Notary Public

My commission expires:

Jan 2 2022