

FILED

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

MAR 05 2018

**STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT**

STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,)
)
Petitioner)
)
v.)
)
SUZUKI-KAWASAKI SELLER, INC.,)
D/B/A MOTOR SPORTS OF)
MUSKOGEE,)
)
Respondent)

Case No. 17-0287-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Motor Sports of Muskogee, ("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 1900263840, active filing status.
- b. Respondent transacts business at 701 N. 41st Street East, Muskogee, OK 74403.
- c. On May 23, 2017, Jimmie Ray, a consumer credit investigators, entered Respondent's business premises and spoke to Pamela Bower.
- d. The investigators asked if Respondent offers financing to consumers for items at their location. Ms. Bower advised Respondent uses Sheffield and American Honda as financing sources and the consumers sign all the

financing documents at the dealership. Upon request, the investigators viewed the retail installment contracts and scanned a copy.

- e. The copy of the Retail Installment Contract for J. Green lists the purchase of a 2016 Honda 5X510M5DG. The Seller is listed as Motor Sports of Muskogee with the business address listed. The terms of the contract are 60 monthly payments in the amount of \$193.24 with the first payment due on June 15, 2017. Total sales price of the vehicle is \$19,094.40. The interest rate is listed as 3.99%.
- f. 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.*
- g. As of January 31, 2018, 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). Respondent previously held license number NOT79662, which expired December 31, 2009.
- h. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2017.
- i. 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) Respondent does not admit to the allegations made by Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order.

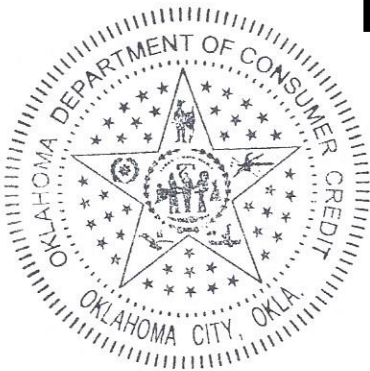
(3) Respondent will submit a notification filing application and pay all applicable registration/application fees to the Department on or before February 23, 2018. In addition, Respondent agrees to pay a \$1,000.00 civil penalty payable to the Oklahoma Department of Consumer Credit in two installments of \$500.00 each, with first installment due on or before February 23, 2018, and second installment of \$500.00 due on or before March 23, 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 17-0287-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 the 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]

Ruben Tornini, Deputy Administrator
For Scott Leshar
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 3-5-18

[Redacted signature]

Motor Sports of Muskogee

Dated: 2-15-18

VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0287-DIS

STATE OF OKLAHOMA)

COUNTY OF _____)

Signed and sworn to (or affirmed) before me on Feb 15,
2018, by Pamela Tower of Motor Sports of Muskogee.

Motor Sports of Muskogee

(Seal, if any)



Notary Public

My commission expires:

11-18-19