



BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner)
)
v.)
)
DIAMOND USED AUTO SALES LLC,)
)
Respondent)

Case No. 17-0350-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Diamond Used Auto Sales LLC, ("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 3512528458, active filing status.
- b. Respondent transacts business at 1209 E. Broadway, Altus, OK 73521.
- c. On January 5, 2018, Petitioner sent a Notice of Hearing to Respondent's registered agent listed on the Oklahoma Secretary of State's website as Greg Daugherty, 3021 Whitetail Dr. Altus, OK 73521. The Notice of Hearing was returned from the post office stating "not deliverable as addressed, unable to forward" on January 11, 2018.
- d. On August 24, 2017, Jimmie Ray and Michael Thompson, consumer credit investigators, entered Respondent's business premises and spoke to Greg Daugherty, Owner.

- e. The investigators asked what financing options are offered to consumers when they purchase vehicles from Respondent. Mr. Daugherty advised Respondent offers indirect financing to the consumers utilizing Westlake and Lobel Financing companies, and the consumers complete the financing paperwork at Respondent's location. Upon request, the investigators asked to review executed retail contracts. The examiners scanned a copy of the retail installment contract.
- f. On October 19, 2017, Petitioner issued a subpoena duces tecum to Greg Daugherty of Diamond Used Auto Sales LLC at the address of 1209 E. Broadway, Altus, OK 73521. Respondent was requested to submit documents no later than November 20, 2017. Ten (10) Retail Installment Sale Contracts were received on November 8, 2017.
- g. The copy of the Retail Installment Sale Contract for M. Goodman lists the purchase of a 2008 Ford Edge. The Seller is listed as Diamond Used Auto Sales LLC, with the business address listed as 800 Falcon Rd., Altus, OK 73521. The terms of the contract are 48 monthly payments in the amount of \$295.00 with the first payment due on December 7, 2016. Total sales price of the vehicle is \$15,160.00. The interest rate is listed as 20.99%.
- 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 November 6, 2017, 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 November 1, 2017.
- j. 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.

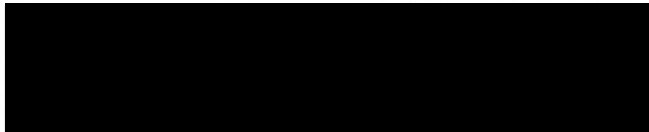
(3) Respondent agrees to pay a \$500.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before February 23, 2018.

(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 17-0350-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.

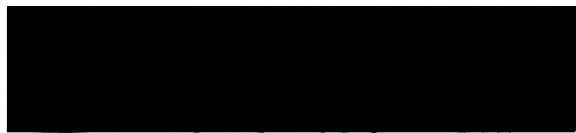
(6) If Respondent fails to comply with the terms of this Consent Order, the Administrator of the Department of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 14 O.S. § 6-113(4).

ROBEN TORWIN
DEPUTY ADMINISTRATOR FOR



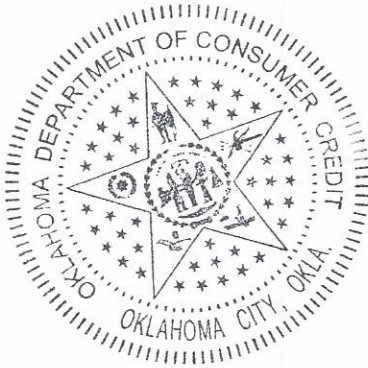
Scott Leshar
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 2-20-18



Diamond Used Auto Sales, LLC

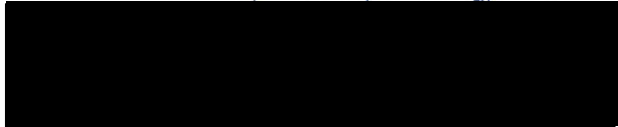
Dated: 2-14-18



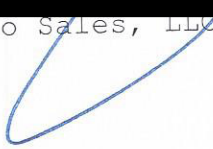
VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0350-DIS

STATE OF OKLAHOMA)
)
COUNTY OF Jackson)

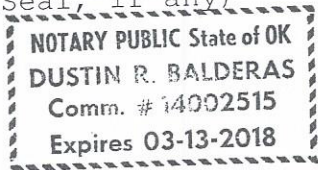
Signed and sworn to (or affirmed) before me on 14 of February,
2018, by Fred Daugherty of Diamond Used Auto Sales, LLC.



Diamond Used Auto Sales, LLC,



(Seal, if any)



Notary Public

My commission expires:

3-13-18