

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA



STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner))
))
v.) Case No. 17-0405-DIS)
))
TOMMY NIX AUTO GROUP, LLC,))
))
Respondent))
))

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Tommy Nix Auto Group 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 3512448109, active filing status.
- b. Respondent transacts business at 3001 S. Muskogee, Talequah, OK 74464.
- c. On September 29, 2017, Jimmie Ray and Michael Thompson, consumer credit investigators, entered Respondent's business premises and spoke to Cody Hess, Finance Manager.
- d. The investigators spoke to Mr. Hess about consumer auto financing options offered by Respondent. Mr. Hess stated Respondent does offer financing and cash options to purchase vehicles. Mr. Hess said that customers sign a retail installment contract at the

dealership. Upon request, Mr. Hess showed the investigators a copy of a completed retail installment contract that listed customer signatures and financing terms. The contract listed Tommy Nix Auto Group, LLC as the seller. The investigators scanned a copy of the contract. Mr. Hess stated the dealership was purchased by the current ownership in July 2014.

- e. Respondent has engaged or offered to engage in making consumer credit sales. The copy of the Retail Installment Sale Contract for J. Grayson lists the purchase of a 2017 Chevrolet Cruze. The Seller is listed as Tommy Nix Auto Group LLC with the business address listed. The terms of the contract are 72 monthly payments in the amount of \$482.77 with the first payment due on November 9, 2017. Total sales price of the vehicle is \$39,758.44. The interest rate is listed as 21.00%.
- 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 March 8, 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 February 23, 2018.
- h. 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 \$400.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before April 27, 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 17-0405-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).



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Scott Lesner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 4/25/18

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C. Craig Cole, Esq.
C. Craig Cole & Associates
317 Northwest Twelfth Street
Oklahoma City, Oklahoma 73103
Attorney for Respondent

Dated: 4-12-18

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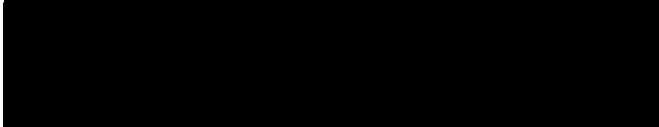
Tommy Nix Auto Group, LLC

Dated: 4-11-18

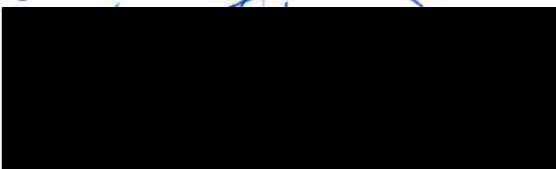
VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0405-DIS

STATE OF OKLAHOMA)
)
COUNTY OF Cherokee)

Signed and sworn to (or affirmed) before me on 4-11,
2018, by Sherie Cruz of Tommy Nix Auto Group, ~~Inc.~~ LLC



Sherie Cruz
Tommy Nix Auto Group, ~~Inc.~~ LLC



Notary Public

My commission expires:

6-6-18