

**FILED**

**JAN 17 2019**

**STATE OF OKLAHOMA  
DEPARTMENT OF  
CONSUMER CREDIT**

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

STATE OF OKLAHOMA <i>ex rel.</i>	)	
DEPARTMENT OF CONSUMER CREDIT,	)	
	)	
Petitioner	)	
	)	
v.	)	Case No. 17-0423-DIS
	)	
VANCE FORD-LINCOLN-MERCURY,	)	
INC.,	)	
	)	
Respondent	)	

**CONSENT ORDER**

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Vance Ford-Lincoln-Mercury, 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 1912059418, active filing status.
- b. Respondent transacts business at 510 N. Main Street, Miami, OK 74354.
- c. On October 2, 2017, Jimmie Ray and Michael Thompson, consumer credit investigators, entered Respondent's business premises and spoke to Khristi Andrade, Business Manager.
- d. The investigators asked if Respondent offers financing options to consumers for vehicles at their location. Ms. Andrade explained that Respondent offers cash and

indirect finance options to consumers. Ms. Andrade advised that the consumers sign the financing paperwork at the dealership location. The investigators then scanned an executed retail contract that listed customer signatures and financing terms.

- e. On August 21, 2018, Petitioner issued a subpoena duces tecum to the Finance Department of Vance Ford Lincoln Mercury Inc. at the address of 510 N. Main St., Miami, OK 74354. Respondent was requested to submit documents no later than September 20, 2018. Ten (10) Retail Installment Sale Contracts were received on September 20, 2018.
- f. Respondent has engaged or offered to engage in making consumer credit sales. The copy of the Retail Installment Sale Contract for K. Andrade lists the purchase of a 2015 Nissan Altima. The Seller is listed is Vance Ford Lincoln Mercury with the business address listed. The terms of the contract are 60 monthly payments in the amount of \$184.66 with the first payment due on August 6, 2017. Total sales price of the vehicle is \$11,079.60. The interest rate is listed as 2.99%.
- 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 November 28, 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).
- i. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2017.
- j. 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, except that Respondent admits the facts necessary to establish the

Department's jurisdiction over Respondent and the subject matter of this action.

(3) Respondent will submit a notification license application and pay all applicable registration/application fees to the Department on or before January 15, 2019. In addition, Respondent agrees to pay a \$1,500.00 civil penalty payable to the Oklahoma Department of Consumer Credit on or before January 15, 2019.

(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 17-0423-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, Department of Consumer Credit, 3613 N.W. 56<sup>th</sup> 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]  
Ruben Tornini  
Acting Administrator  
State of Oklahoma  
Department of Consumer Credit

Dated:

[REDACTED]  
Vance Ford-Lincoln-Mercury, Inc.

Dated:

1-15-19

VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0423-DIS

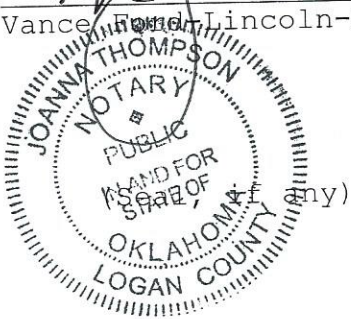
STATE OF OKLAHOMA )

COUNTY OF Logan )

Signed and sworn to (or affirmed) before me on Jan 15,  
2019, by Megan Vance Ochs of Vance Ford-Lincoln-Mercury,  
Inc.



Vance Ford-Lincoln-Mercury, Inc.



Notary Public

My commission expires:

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