

FILED

MAR 11 2019

STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

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

STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner)
)
v.)
)
FOWLER FORD, INC.,)
)
Respondent)

Case No. 18-0291-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Fowler Ford, 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 1912643382, active filing status.
- b. Respondent transacts business at 3400 S. Sheridan Rd., Tulsa, OK 74145.
- c. On December 6, 2018, Jimmie Ray and Michael Thompson, Consumer Credit Investigators, entered Respondent's business premises and spoke to Mike Driver, Finance Director.
- d. The investigators asked if Respondent offered financing options for consumers to purchase vehicles at the location. Mr. Driver advised Respondent offers indirect financing and cash options to consumers. Mr. Driver advised the consumers sign the financing

paperwork at the dealership location. The consumers can apply for financing on Respondent's webpage and the financing contract is assigned to a third party lender. Ford Motor Credit, First Fidelity Bank and Tinker Federal Credit Union are a few of the lenders that Respondent utilizes for financing options. Upon request, the investigators scanned an executed retail contract. The contract listed Fowler Ford as the seller and assigned to Ford Motor Credit. The executed contract listed financing terms. Mr. Driver advised the dealership has been in business at the location since January 2018.

e. Respondent has engaged or offered to engage in making consumer credit sales. The copy of the Retail Installment Sale Contract for J. Jones lists the purchase of a 2018 Ford F-150. The Seller is listed as Fowler Ford, Inc. with the business address listed. The terms of the contract are 60 monthly payments in the amount of \$295.98 with the first payment due on December 10, 2018. Total sales price of the vehicle is \$49,862.80. The interest rate is listed as 6.29%.

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 the date of the Notice, 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).

h. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2018.

i. Respondent has failed to pay the notification license 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 March 18, 2019. In addition, Respondent agrees to pay a \$1,500.00 civil penalty payable to the Oklahoma Department of Consumer Credit, on or before March 18, 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 18-0291-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]
Scott Lesher
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 3/11/19

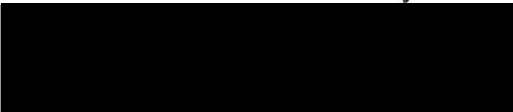
[Redacted]
Fowler Ford, Inc.

Dated: MARCH 5, 2019

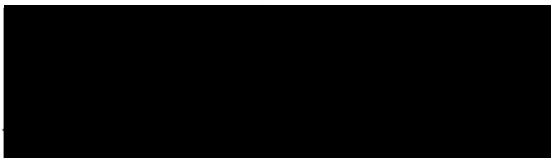
VERIFICATION OF CONSENT ORDER, CASE NUMBER 18-0291-DIS

STATE OF OKLAHOMA)
COUNTY OF Cleveland)

Signed and sworn to (or affirmed) before me on MARCH 5,
2019, by CHARLES K. GRIFFIN of Fowler Ford, Inc.



Fowler Ford, Inc.



(Seal, if any)

Notary Public

My commission expires:

Notary Public

My commission expires:

2/27/21

