

FILED
MAY 10 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.) Case No. 19-0035-DIS
)
)
CARTER COUNTY HYUNDAI, LLC,)
)
Respondent)

CONSENT ORDER

Petitioner, State of Oklahoma ex rel. Department of Consumer Credit ("Petitioner") and Respondent, Carter County Hyundai 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 3512139739, active filing status.

b. Respondent transacts business at 616 Holiday Dr., Ardmore, OK 73401.

c. On March 25, 2019, Jimmie Ray and Michael Thompson, consumer credit investigators, entered Respondent's business premises and spoke to James Bollman, General Manager.

d. The investigators asked Mr. Bollman if Respondent offered financing options for consumers purchasing vehicles at their location. Mr. Bollman stated Respondent utilized Ally, Hyundai and TFCU as a few of the consumer finance options. Mr. Bollman advised Respondent has been at the location for 8 years. Upon request, the investigators

viewed and scanned executed retail installment agreements that listed finance terms and assignment to a third party lender. Mr. Bollman advised the consumers sign the financing paperwork at the dealership. Consumers can complete a finance application online on Respondent's website.

e. Respondent has engaged or offered to engage in making consumer credit sales. The copy of the Retail Installment Sale Contract for P. Abner lists the purchase of a 2019 Hyundai Elantra. The Seller is listed as Carter County Hyundai with the business address listed. The terms of the contract are 72 monthly payments in the amount of \$400.94 with the first payment due on April 2, 2019. Total sales price of the vehicle is \$30,867.68. The interest rate is listed as 10.00%.

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 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). Respondent previously held a Notification license (NOT84073); said license expired on January 31, 2019.

h. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2019.

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 June 3, 2019. In addition,

Respondent agrees to pay a \$750.00 civil penalty payable to the Oklahoma Department of Consumer Credit, on or before June 3, 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 19-0035-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 area]

Scott Leshner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 5/10/19

[Redacted signature area]

Carter County Hyundai LLC

Dated: 5-6-19

VERIFICATION OF CONSENT ORDER, CASE NUMBER 19-0035-DIS

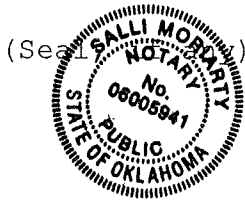
STATE OF OKLAHOMA)


COUNTY OF Tulsa)

Signed and sworn to (or affirmed) before me on 5-6-19,
2019, by Debbie Stewart of Carter County Hyundai LLC.



Carter County Hyundai LLC





Notary Public

My commission expires:

6-19-22
