

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

STATE OF OKLAHOMA,)
ex rel., DEPARTMENT OF)
CONSUMER CREDIT,)
)
Petitioner)
)
v.)
)
SUPERIOR LENDING L.L.C.,)
)
Respondent)

FILED OCTOBER 25, 2023
STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

Case No. 23-0042-DIS

FINAL AGENCY ORDER

This matter was heard on the 7th day of September, 2023, at approximately 9:33 a.m., the above numbered and entitled cause (scheduled for 9:30 a.m.) came on for an emergency hearing at the Office of the Oklahoma Department of Consumer Credit, 629 N.E. 28th Street, Oklahoma City, Oklahoma 73105.

The State of Oklahoma, ex rel. Oklahoma Department of Consumer Credit (the “Department” or “Petitioner”), was represented by the Department’s Chief Enforcement Counsel, John T. Coyne, and the Respondent, Superior Lending LLC, whose physical address is represented by the Respondent to be 5909 NW Expressway, Suite 227, Oklahoma City, OK 73132, and whose mailing address is that of the Respondent’s owner, Lemontrae Brooker, 3658 Alta Lakes Blvd., Jacksonville, FL 32226, (the “Respondent”), who did not appear in person or through an attorney, after such Respondent having been personally served a copy of the Emergency Order and Notice of Hearing filed by the Department herein on August 28, 2023 (the “Notice of Hearing”), in Case No. 23-0042-DIS, pursuant to the requirements of Article II of the Administrative Procedures Act (the “APA”), 75 O.S. §§ 308a-323, at the address given to the

Department by the Respondent at 3658 Alta Lakes Blvd., Jacksonville, FL 32226, and was personally delivered to the Respondent by a Special Process Service Server, Randy Johnson, FL #1229, on behalf of the Department, as verified through the Affidavit of Service by Randy Johnson that he served the Emergency Order and Notice of Hearing on an individual named Pauline Brooker, wife of the Respondent's owner, Lemontrae Brooker, on August 28, 2023, on behalf of the Respondent which notarized Affidavit of Service has been filed herein.

The Department's Chief Enforcement Counsel John T. Coyne, announced at the emergency hearing that he wished to secure, in the absence of the Respondent who had an opportunity for a hearing and for whom he indicated he had good service, a judgment by default pursuant to 75 O.S. § 309(E). Further, Mr. Coyne indicated that the Department's recommendation in this matter is that the existing Cease and Desist Order currently in effect against the Respondent to cease and desist from engaging and/or offering to engage and/or operating as a supervised lender continue and remain in place until such time as the Respondent provides valid proof of existing Oklahoma licensure or applies for and is approved for Oklahoma licensure as a supervised lender through the Department's Licensing department, and that the Department would waive payment all costs of proceedings in this matter by the Respondent.

Accordingly, the Independent Hearing Examiner announced from the bench that his recommendation in this matter to the Department's Administrator would be to grant the requested default judgment, that the existing Cease and Desist Order currently in effect against the Respondent to cease and desist from engaging and/or offering to engage and/or operating as a "supervised lender" as defined in 14A O.S. § 3-501(2), continue and remain in place until such time as the Respondent provides valid proof of existing Oklahoma licensure or applies for and is approved for Oklahoma licensure as a supervised lender through the Department's Licensing

department, and for the Department to waive payment of all costs of proceedings in this matter by the Respondent.

After reviewing the administrative record of this individual proceeding, reviewing the evidence presented at the September 7, 2023 hearing, and reviewing the Proposed Order filed by Independent Hearing Examiner, Bryan Neal, the Administrator of Consumer Credit issues the following findings, conclusions and orders.

JURISDICTION AND AUTHORITY

1. The Administrator of Consumer Credit (the “Administrator”) is responsible for the enforcement of the supervised loan provisions of the Oklahoma Consumer Credit Code, 14A O.S. §§ 3-501 et seq.

2. Unless a person is a supervised financial organization or has first obtained a license from the Administrator authorizing the person to make supervised loans, a person shall not engage in the business of making supervised loans; or taking assignments and undertaking direct collection of payments from or enforcement of rights against debtors arising from supervised loans. 14A O.S. § 3-502(1).

3. The Administrator may issue an emergency order, pending the final outcome of the proceeding, that includes the suspension of a license instanter or a cease and desist instanter if the public health, safety or welfare imperatively requires such action. An emergency order shall include an order for a hearing that is scheduled within ten (10) days from the date of service of the emergency order. The Administrator shall serve an emergency order by certified mail, return receipt requested, or by personal delivery. 75 O.S. §§ 314 (C)(2) and 314.1, and OAC 160:65-9-3.

Penalties

Any entity or individual offering to engage or engaged in making consumer credit sales, consumer leases, consumer loans or supervised loans in this state without a license or notification filing required by Oklahoma Statutes, Title 14A, shall be subject to a civil penalty not to exceed Five Thousand Dollars (\$5,000.00). 14A O.S. § 6-113(3).

FINDINGS OF FACT

The Administrator finds that the following facts were proven through the Respondent's default by clear and convincing evidence:

1. The proceedings in this matter were conducted in accordance with the provisions of the Oklahoma Consumer Credit Code, 14A O.S. §§ 3-501 to 3-515, and Article II of the Administrative Procedures Act, 75 O.S. §§ 308a-323.

2. The Respondent failed to appear in person or through an attorney at the emergency hearing on September 7, 2023, at the scheduled time of 9:30 a.m. or later that same morning when its case was heard at approximately 9:33 a.m., the Respondent having received notice of the emergency hearing in this matter set for September 7, 2023, at 9:30 a.m., at the offices of the Oklahoma Department of Consumer Credit, 629 NE 28th Street, Oklahoma City, OK 73105, and the Respondent was found to be in default.

3. The Respondent is a domestic limited liability company in the State of Oklahoma, Oklahoma Secretary of State filing number 3512108029, inactive filing status.

4. The Respondent represents that it transacts business at 5909 NW Expressway, Suite 227, Oklahoma City, OK 73132.

5. On August 9, 2023, Oklahoma Department of Consumer Credit Investigators Jimmie Ray and Michael Thompson, were tasked to investigate Respondent, Lemontrae Brooker,

due to conflicting claims Respondent made to Petitioner's licensing staff regarding the authenticity of his licensure. Respondent claimed to be licensed by Petitioner under "Superior Lending LLC", license number SL007407. License number SL007407 is an active license number since 2008, but it belongs to PJN Corporation listed in Afton, Oklahoma. Respondent provided to Petitioner what appeared to be a forged document he claimed was issued to him by Petitioner. The location for the purported licensed business was indicated to be 5909 NW Expressway, STE 227, Oklahoma City, Oklahoma 73132.

6. On August 10, 2023, Investigators Jimmie Ray and Michael Thompson visited 5909 NW Expressway, STE 227, Oklahoma City, Oklahoma 73132 to determine whether Respondent was conducting business at this address. While at this location, Investigators took note that Suite 227 was not on the list of suites and corresponding businesses posted on the directory at the entrance of the aforementioned address. Upon speaking to the property manager, Investigators were able to determine that Suite 227 was vacant since April 2023. Investigators then telephoned Respondent and asked Mr. Brooker how long he had owned Superior Lending LLC. Respondent stated that he owned Superior Lending LLC. for three months. Investigators then asked Respondent how many loans Superior Lending LLC. had done. Mr. Brooker told Investigators that he had engaged in one thousand (1,000) loans. Investigators asked Respondent where he stored the loan documents, whereupon Mr. Brooker stated the loan documents were stored at 5909 NW Expressway, STE 227, Oklahoma City, OK 73132.

7. On August 10, 2023, Mr. Brooker provided to the Investigators a copy of his driver's license and a screenshot of an alleged email communication between the Respondent and the Petitioner's licensing staff. Investigators discovered upon inspection that the email communications provided by Mr. Brooker were forgeries and that no such communication

existed.

8. On August 14, 2023, Respondent provided to Investigators loan documents using the email omunsr@gmail.com . The email contained loan documents indicating that Respondent conducted unlicensed activity on at least two (2) occasions at 5909 NW Expressway, STE 227, Oklahoma City, OK 73132. Superior Lending LLC is operating without a supervised lender license from Petitioner.

9. Since the Respondent is not currently authorized to engage or offer to engage and/or operate as a supervised lender at 5909 NW Expressway, STE 227, Oklahoma City, OK 73132, emergency action ordering the Respondent to cease and desist from engaging or offering to engage and/or operating as a supervised lender at 5909 NW Expressway, STE 227, Oklahoma City, OK 73132, is required.

CONCLUSIONS OF LAW

The Administrator of Consumer Credit concludes as follows:

The Respondent has violated 14A O.S. § 3-502(1)(a) by offering to engage or engaging in making consumer credit sales, consumer leases, consumer loans or supervised loans in this state without a license or notification filing required by Oklahoma Statutes, Title 14A at 5909 NW Expressway, STE 227, Oklahoma City, OK 73132, without a supervised lender license or notification filing required by Oklahoma Statutes, Title 14A.

ORDER

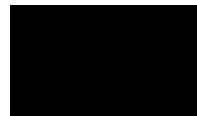
Based upon the findings of fact and conclusions of law in this individual proceeding and based in part upon the recommendation of the Independent Hearing Examiner, the Administrator of Consumer Credit issues the following orders:

1. The Respondent is hereby found to have violated 14A O.S. § 3-502(1)(a) by

engaging or offering to engage in making consumer credit sales, consumer leases, consumer loans or supervised loans in this state without a license or notification filing required by Oklahoma Statutes, Title 14A at 5909 NW Expressway, STE 227, Oklahoma City, OK 73132, without a supervised lender license or notification filing required by Oklahoma Statutes, Title 14A.

2. Accordingly, the existing Cease and Desist Order will continue against the Respondent to cease and desist from offering to engage or engaging in making consumer credit sales, consumer leases, consumer loans or supervised loans in this state without a license or notification filing required by Oklahoma Statutes, Title 14A at 5909 NW Expressway, STE 227, Oklahoma City, OK 73132, that such Cease and Desist Order continue and remain in place until such time as Respondent applies for and is approved for Oklahoma licensure as a supervised lender through the Department's Licensing department, and that, even though the Respondent is not the prevailing party in this matter, the Respondent will not be assessed the costs of the Independent Hearing Examiner incurred in this matter as authorized in 14A O.S. § 3-505(1) at the request of the Department, which has recommended the waiver of the Respondent's payment of the costs of the Independent Hearing Examiner incurred in this matter.

So ordered this 25th day of October, 2023.



Scott Leshner
Administrator of Consumer Credit
State of Oklahoma