BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

FILED
MAR 05 2015
STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

STATE OF OKLAHOMA, ex rel., DEPARTMENT OF CONSUMER CREDIT,	)	
Petitioner	)	
v.	)	Case No. 14-0240-DIS
JULES ESTATE BUYERS, INC.,	)	
Respondent	)	

FINAL AGENCY ORDER

On the 19th day of December, 2014, at approximately 9:35 a.m. (after providing additional time to the Respondent or its legal counsel, if any, to appear beginning at 9:30 a.m.), the above numbered and entitled cause (scheduled for 9:30 a.m.) came on for hearing at the Office of the Oklahoma Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

The State of Oklahoma, ex rel. Oklahoma Department of Consumer Credit (the "Department"), was represented by the Department's General Counsel Roy John Martin and the Respondent Jules Estate Buyers, Inc., transacting business at the Belk store location at 7309 S. Olympia Avenue, Tulsa, Oklahoma 74107 (the "Respondent"), did not appear in person through a representative or through an attorney, after such Respondent having been mailed a copy of the Notice and Order of Hearing filed by the Department herein on November 3, 2014 (the "Notice of Hearing"), in Case No. 14-0240-DIS, pursuant to the requirements of Article II of the Administrative Procedures Act (the "APA"), 75 O.S. §§ 308a-323, by first class U.S. Mail

certified with return receipt requested to the Respondent's business address at 13990 Olive Blvd., Chesterfield, Missouri 63017, and was delivered to the Respondent by a representative of the U.S. Postal Service on November 6, 2014, as evidenced by a sworn Affidavit of Service by the Department's General Counsel Roy John Martin attesting to service by certified mail return receipt requested delivery of the Notice and Order of Hearing on November 6, 2014, to which was attached the return receipt signed by a representative of the Respondent.

The Department's General Counsel Roy John Martin, announced that he had not heard from or spoken to the Respondent about its appearance at the hearing in person through a representative or through an Attorney. Continuing, Mr. Martin indicated that he wished to secure, in the absence of the Respondent who had an opportunity for a hearing and for whom he had good service, a judgment by default pursuant to 75 O.S. §309(E).

After reviewing the administrative record of this individual proceeding, reviewing the evidence presented at the December 19, 2014 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 is charged with the administration and enforcement of the Precious Metal and Gem Dealer Licensing Act. 59 O.S., §1521 et seq.

2. The Administrator may, after notice and hearing, deny, decline to renew a license, suspend or revoke any license, order a cease and desist order, impose an administrative fine in an amount not to exceed Five Thousand Dollars ($5,000.00) or impose a combination of such

penalties if it is found that the applicant has been convicted of a felony or crime involving fraud, theft, receiving or possession of stolen property in the five (5) years preceding the submission of the application; the licensee has failed to pay any fee or charge properly imposed by the Administrator under the authority of the Precious Metal and Gem Dealer Licensing Act; the licensee or any entity or individual subject to the Precious Metal and Gem Dealer Licensing Act has violated any provision of the Precious Metal and Gem Dealer Licensing Act or any rule promulgated or order made pursuant to and within the authority of the Precious Metal and Gem Dealer Licensing Act; or any fact or condition exists which, if it had existed or had been known to exist at the time of the original application for a license, clearly would have justified the Administrator in refusing the license. 59 O.S. § 1528(B).

3. No person, unless exempt by the Precious Metal and Gem Dealer Licensing Act, 59 O.S.,§1521 et seq., shall operate as a precious metal dealer or employee without first obtaining a license from the Administrator specifically authorizing the person to act in such capacity. 59 O.S., §1523.

4. Any entity or individual offering to engage or engaged as a precious metal and gem dealer in this state without a license shall be subject to a civil penalty not to exceed Five Thousand Dollars ($5,000.00). 59 O.S., §1528 (F).

FINDINGS OF FACT

The Administrator of Consumer Credit finds that the following facts were proven by clear and convincing evidence:

1. The proceedings in this matter were conducted in accordance with the provisions of the Precious Metal and Gem Dealer Licensing Act, 59 O.S. § 1521 et seq. and Article II of the

Administrative Procedures Act, 75 O.S. §§ 308a-323.

2. The Respondent, who did not appear the Hearing on December 19, 2014, at 9:30 a.m., in person through a representative or through an attorney, received notice of the hearing in this matter set for December 19, 2014, at 9:30 a.m., by first class U.S. Mail certified return receipt requested through mail-delivery of a copy of the original Notice of Hearing filed in this matter on November 3, 2014, served upon the Respondent at the business address of the Respondent in care of Robert J. Greiner, President, at 13990 Olive Blvd., Chesterfield, Missouri 63017, by a representative of the U.S. Postal Service on November 6, 2014, as evidenced by the sworn Affidavit of Service by the Department's General Counsel Roy John Martin attesting to mail-delivery thereof on November 6, 2014, to which was attached the return receipt signed by a representative of the Respondent.

3. The Respondent is not registered as a corporation with the Oklahoma Secretary of State.

4. The Respondent transacts business at the Belk store location at 7309 S. Olympia Avenue, Tulsa, Oklahoma 74107.

5. An advertisement in the October 19, 2014 edition of the Tulsa World newspaper included an advertisement of the Respondent with the following information:

> "The estate buying show by Jules Estate Buyers, Inc."
>
> "We will buy your valuables."
>
> "If you've been thinking about selling your valuables, there's no better time or place. We are buying gold, silver, fine watches, jewelry, old coins, paintings and more. Our experienced, knowledgeable experts will evaluate any item, no matter how small, and make you an offer. If you choose to sell, we'll pay you on the spot.

Don't miss this exclusive opportunity!"

"Now buying all fine jewelry, precious metals and gemstones, signed pieces by important makers, gold & platinum, class rings, old settings, gold coins and broken jewelry, Diamonds, all shapes and sizes, old sterling, flatware & hollowware, no polishing required"

"Monday, October 20th through Friday, October 24th, Belk Accessories, 9002 N. 121st East Avenue, Owasso, Oklahoma 74055."

"Monday, October 20th through Friday, October 24th, Belk-Fine Jewelry, 7309 S. Olympia Avenue, Tulsa, Oklahoma 74107."

"Buying Hours: 10am-5pm"

"No appointment necessary"

"855-441-6724"

www.estatejules.com

info@estatejules.com

6. On October 21, 2014, a Consumer Credit Examiner of the Petitioner visited the Belk store location at 7309 S. Olympia Avenue, Tulsa, Oklahoma 74107.

7. The Respondent, through Robert J. Greiner, President, was present at the Belk store location at 7309 S. Olympia Avenue, Tulsa, Oklahoma 74107, on October 21, 2014.

8. An advertisement at the Belk store location at 7309 S. Olympia Avenue, Tulsa, Oklahoma 74107, on October 21, 2014 included the following information:

"We buy: all fine jewelry, gold, platinum. Diamonds, all fine watches, old sterling, old currency, old paintings, autographs, historic photos, Jules Estate Buyers, our expertise is worth more to you."

9. As of November 3, 2014, the Respondent was not licensed as a precious metal and

gem dealer in the State of Oklahoma.

CONCLUSIONS OF LAW

The Administrator of Consumer Credit concludes that based on the evidence and testimony in this individual proceeding that:

1. Article II of the Administrative Procedures Act, 75 O.S., §309(E), provides that an informal disposition may be made of any individual proceeding by default.

2. The Respondent has violated 59 O.S. § 1523 by operating as a precious metal and gem dealer or employee thereof without first obtaining a license from the Administrator specifically authorizing the Respondent to act in that capacity.

2. The Respondent has violated 59 O.S. § 1528 (F) by engaging and/or offering to engage as a precious metal and gem dealer in the State of Oklahoma without a precious metal and gem dealer license.

ORDER

Based upon the findings of fact and conclusions of law in this individual proceeding and based 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 59 O.S., §1523 by operating as a precious metal and gem dealer and/or employee thereof without first obtaining a license from the Administrator specifically authorizing the Respondent to act in that capacity and the Respondent is also hereby found to be an entity or individual offering to engage or engaged as a precious metal and gem dealer without a license as required under 59 O.S., § 1528 (F), for which violations the Respondent shall be fined in the amount of Five Thousand Dollars ($5,000.00) as

authorized in 59 O.S., § 1528 (F), and that, as the Respondent is not the prevailing party, the Respondent shall be assessed hearing costs incurred in this matter in the amount of Three Hundred and Sixty Dollars ($360) as authorized in 59 O.S., § 1528 (A).

2. The Respondent, having been found to be an entity or individual offering to engage and/or that operated as a precious metal and gem dealer without a license as required under 59 O.S., §1523 and 59 O.S., § 1528 (F), the Respondent shall be issued a permanent Cease and Desist Order to immediately cease and desist from offering to engage and/or operate as a precious metal and gem dealer without a license as required under 59 O.S., § 1528 (F) and to permanently continue to so cease and desist until such time, if ever, as the Respondent obtains a license as required under 59 O.S., §1523 and 59 O.S., §1528 (F).

So ordered this 3rd day of March, 2015.

OKLAHOMA DEPARTMENT OF CONSUMER CREDIT
OKLAHOMA CITY, OKLA.

Scott Lesher
Administrator of Consumer Credit
State of Oklahoma