BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

FILED
AUG 11 2016
STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

STATE OF OKLAHOMA, ex rel, DEPARTMENT OF CONSUMER CREDIT	)	
Petitioner	)	
v.	)	Case No. 16-0021-DIS
NEAL FITNESS, INC. d/b/a GYM 210	)	
Respondent	)	

CONSENT ORDER

The Petitioner, State of Oklahoma, ex rel., Department of Consumer Credit ("Petitioner") and the Respondent, EPIC FITENSS, LLC, d/b/a ANYTIME FITNESS,("Respondent") voluntarily enter into this Consent Order as an informal disposition of this individual proceeding to avoid litigation. The Respondent agrees to waive its right to a hearing under the Oklahoma Administrative Procedures Act and both parties agree as follows:

(1) The Petitioner restates and incorporates by reference the allegations made by the Petitioner in the Notice of Hearing filed in this matter.

i. The Respondent is an Oklahoma domestic for profit corporation transacting business at 230 N. Broadway, Ada, OK 74820, under the name of Gym 210.

ii. On April 14, 2016, a consumer credit examiner entered the business premises of the Respondent and spoke with Jacob Neal, the current owner of Gym 210. Mr. Neal explained to the examiner that he had recently purchased the business from the previous owner and sent in a health spa application on April 11, 2016.

iii. Respondent has applied for a new license as of April 18, 2016 but has not sent in all required documentation after being contacted by Department personnel to submit requested documentation.

iv. The Respondent maintains an Internet website at www.gym210.com listing the Ada, Oklahoma address.

v. The Internet website for the Respondent's location in Ada, Oklahoma, lists monthly memberships starting at $40.00 per month and all memberships come with a 1 year contract. All memberships have a $99 cancellation fee.

vi. As of July 19, 2016, the Respondent is not registered as a health spa in the State of Oklahoma.

vii. The 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).

viii. The Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, on or before January 31, 2016.

ix. 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) The Respondent does not admit to the allegations made by the Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order.

(3) The Respondent agrees to pay all applicable registration/application fees, a $2,500.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before September 6, 2016.

(4) The Respondent agrees to submit a notification license application, pursuant the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. 14A O.S. § 6-203(2), with applicable fees on or before September 6, 2016.

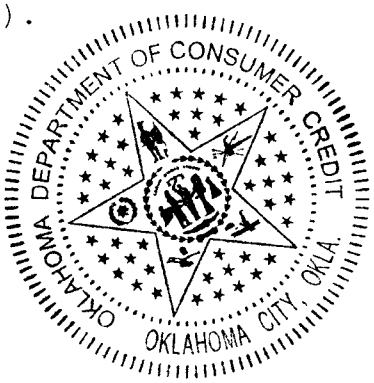
(5) The notification license application and applicable registration fee of $120.00 shall be submitted to the attention of Roy John Martin, General Counsel, Department of Consumer Credit, 3613 NW 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

(6) 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 16-0021-DIS and shall be addressed to the attention of Roy John Martin, General Counsel, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

(7) 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.

(8) If the 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).



Scott Lesher
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 8/11/16

JAKE NEAL
NEAL FITNESS

Dated: 8/8/16

VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0021-DIS

STATE OF)
)
COUNTY OF)

Signed and sworn to (or affirmed) before me on August 10, 2016, by JAKE NEAL OF NEAL FITNESS, d/b/a Gym 210.

JAKE NEAL
NEAL FITNESS

(Seal, if any)

NOTARY PUBLIC SEAL
R. A. HALE
Notary Public in and for the State of Oklahoma
Commission #05009508
My Commission expires 10/12/2017

RA Hale

Notary Public

My commission expires:

10-12-2017