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

FILED
AUG 24 2016
STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

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| STATE OF OKLAHOMA ex rel, DEPARTMENT OF CONSUMER CREDIT, | ) | |
| Petitioner | ) | |
| v. | ) | Case No. 16-0079-DIS |
| AZTEKA MOTORS, INC., D/B/A AZTEKAMOTOR.COM, | ) | |
| Respondent | ) | |

**CONSENT ORDER**

The Petitioner, State of Oklahoma, ex rel., Department of Consumer Credit ("Petitioner") and the Respondent, Azteka Motors, Inc., d/b/a AxtekaMotor.com, ("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 a domestic for profit business corporation in the State of Oklahoma, Oklahoma Secretary of State filing number 1900703623, active filing status.

ii. The Respondent transacts business at the following locations in the State of Oklahoma:

a) 1920 S. Memorial Dr., Tulsa, OK 74120;
b) 7939 E. 21st St., Tulsa, OK 74129;
c) 12909 E. 21st St., Tulsa, OK 74134;
d) 6424 E. 11th St., Tulsa OK 74112.

iii. On June 16, 2016, a consumer credit examiner entered the Respondent's business premises located at 1920 S. Memorial Drive in Tulsa, Oklahoma and spoke to

Mr. Jose Moguel, an employee of AztekaMotor.com. Mr. Moguel informed the examiner that the location does finance auto transactions.

iv. Mr. Moguel was unsure if the location had a notification permit and told the Examiner that he would need to speak with either his father, Jose Moguel, Sr. or Eva Huertas who were not available to speak with on that date.

v. In addition, Mr. Moguel provided a copy of a customer application and advised the examiner it also served as the contract.

vi. On June 16, 2016, a consumer credit examiner entered the Respondent's business premises located at 7939 E. 21st St. in Tulsa, Oklahoma and spoke to Mr. Alex Torres. Upon arriving, the business door was locked. Mr. Torres unlocked the door and spoke to the Examiner. Mr. Alex Torres did mention that the location does finance transactions.

vii. Mr. Alex Torres told the Examiner that anyone interested in purchasing a vehicle is usually sent next door to the main office located at 1920 S. Memorial as this was the main address for the Respondent.

viii. On June 16, 2016, a consumer credit examiner entered the Respondent's business premises located at 12909 E. 21st St. in Tulsa, Oklahoma and spoke to Mr. Enrique Torres. Mr. Enrique Torres did mention that the location does finance transactions.

ix. Mr. Torres told the Examiner that the Respondent has a centralized computer system that allowed a customer to make a payment at any of the business locations. He referred the Examiner to the main location at 1920 S. Memorial Drive in Tulsa, Oklahoma.

x. On June 16, 2016, a consumer credit examiner entered the Respondent's business premises located at 6424 E. 11th Street in Tulsa, Oklahoma and spoke to Mr. Jorge Arrellano. Mr. Jorge Arellano did mention that the location does finance transactions and that

a customer could make a payment at the business location.

xi. All the business locations of the Respondent have either a banner or sign that lists "We Finance". In addition, the business locations have vehicles for sale that have front-window signs that state "buy here / pay here".

xii. The Respondent maintains an internet website at https://www.azekamotor.com/tulsa-used-car-dealerships. A Buy Here Pay Here program is listed on the website. A consumer needs to provide a check stub, Identification Card, a proof of address and a down payment to be financed at the location.

xiii. The Respondent also maintains a Facebook internet site at https://www.facebook.com/AZTEKAMOTORTULSA. On the Facebook site, it states "we offer our well recognized "Buy Here Pay Here" program, in fact We Guarantee you will be approved since we don't check credit".

xiv. The Respondent filed notification on June 20, 2016 as to the following locations:

a) 7939 E. 21st St., Tulsa, OK 74129;
b) 12909 E. 21st St., Tulsa, OK 74134;
c) 6424 E. 11th St., Tulsa OK 74112.

Notification permits for these business locations were issued on June 27, 2016.

xv. As of the date of this filing, the Respondent has not filed a notification application as to the 1920 S. Memorial Road, Tulsa, OK business location. A notification permit for this location was issued on August 4, 2016.

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).

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

xvii. 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) as to the 1920 S. Memorial Road Tulsa, OK, business location. The notification permit as to this location was issued on August 4, 2016.

(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 a $1,000.00 civil penalty as to each location, for a total of $4,000.00, payable to the Oklahoma Department of Consumer Credit, on or before August 22, 2016.

(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 16-0079-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.

(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 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 59 O.S. § 2095.17(c).

Scott Lesher
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 8/24/16

(Representative)
Azteka Motors, Inc.,
d/b/a AxtekaMotor.com

Dated: 8-15-16

**VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0079-DIS**

STATE OF OKLAHOMA )
)
COUNTY OF TULSA )

Signed and sworn to (or affirmed) before me on AUGUST 15, 2016, by ESTEBAN TORRES on behalf of Azteka Motors, Inc., d/b/a AxtekaMotor.com.

Representative of
Azteka Motors, Inc.,
d/b/a AztekaMotor.com

(Seal) EVA HUERTAS COMM. NO. 0500[illegible] NOTARY PUBLIC EXP. 10/17/2017 TULSA COUNTY, OKLAHOMA

Eva Huertas

Notary Public

My commission expires:

10-17-17