

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA



STATE OF OKLAHOMA ex rel.)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner)
)
v.)
)
ORRKLAHOMA MOTORS, INC.,)
D/B/A BOOMER KIA,)
)
Respondent)

Case No. 16-0197-DIS

CONSENT ORDER

Petitioner, State of Oklahoma, ex rel. Department of Consumer Credit ("Petitioner") and the Respondent, Orrklahoma Motors, Inc. dba Boomer Kia, ("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. The Respondent is an Oklahoma domestic for profit corporation under the State of Oklahoma, Oklahoma Secretary of State filing number 1912541223, active filing status.
- b. The Respondent transacts business at 339 SW 74th St., Oklahoma City, OK 73139.
- c. On November 4, 2016, April Ledgerwood, a consumer credit examiner, entered the Respondent's business premises and spoke to Mr. Sergio Chavez.
- d. The examiner asked Mr. Chavez if the location offered in-house financing. Mr. Chavez stated that he was an indirect lender, and does not offer any type of in-house financing.

- e. The examiner asked Mr. Chavez to see the paperwork of the most recent car transactions. Mr. Chavez in turn contacted the owner, Mr. Aaron Leger, who declined to provide any documentation.
- f. On December 5, 2016, the Petitioner issued a subpoena duces tecum to Aaron Leger, Managing Partner of Boomer Kia at the address of 339 SW 74th St., Oklahoma City, OK 73139. Respondent was requested to submit documents no later than January 3, 2017. Ten (10) Retail Installment Sale Contracts were received on December 22, 2016.
- g. The website for Boomer Kia, www.boomerkia.com, includes a financing page which contains a credit application form.
- h. The copy of the Retail Installment Sale Contract for T. Anderson lists the purchase of a 2016 Kia Forte. The Seller is listed as Boomer Kia with the business address listed. The terms of the contract are 72 monthly payments in the amount of \$492.37 with the first payment scheduled on November 6, 2016. Total sales price of the vehicle is \$20,621.50. An annual percentage rate of 19.54% is listed on the sale contract.
- i. The additional nine (9) Retail Installment Sales Contracts received all indicate the Seller as Boomer Kia with the business address listed.
- j. As of February 16, 2017, 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).
- k. The Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, within thirty (30) days after commencing business in the State of Oklahoma.
- l. 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) 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 will submit a notification filing application and pay all applicable registration/application fees to the Department on or before March 3, 2017. In addition, the Respondent agrees to pay a \$1,000.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before March 3, 2017.

(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 16-0197-DIS and shall be addressed to the attention of J. Steven Coates, 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 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]
Scott Leshar
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 3/2/17

[REDACTED]
Orrklahoma Motors, Inc.
d/b/a Boomer Kia

Dated: 3-1-17

VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0197-DIS

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

Signed and sworn to (or affirmed) before me on March 1st,
2017, by Aaron Leger of Orrklahoma Motors, Inc.,
d/b/a Boomer Kia.



Orrklahoma Motors, In.c
d/b/a Boomer Kia



(Seal,



Notary Public

My commission expires:

July 6, 2020