

**TITLE 160. DEPARTMENT OF CONSUMER CREDIT
CHAPTER 1. ORGANIZATION**

160:1-1-1.2. Duties of Administrator

(a) The Administrator, as the head of the Department, is charged with the duty of administering and enforcing all provisions of:

- (1) the Uniform Consumer Credit Code beginning at §1-101 of Title 14A of the Oklahoma Statutes;
- (2) the Oklahoma Rental-Purchase Act beginning at §1950 of Title 59 of the Oklahoma Statutes;
- (3) the Oklahoma Pawnshop Act beginning at §1501 of Title 59 of the Oklahoma Statutes;
- (4) the Precious Metal and Gem Dealer Licensing Act beginning at §1521 of Title 59 of the Oklahoma Statutes;
- (5) the Credit Services Organization Act beginning at §131 of Title 24 of the Oklahoma Statutes;
- (6) the Oklahoma Health Spa Act beginning at §2000 of Title 59 of the Oklahoma Statutes;
- (7) ~~the Mortgage Broker Licensure Act beginning at §2081 of Title 59 of the Oklahoma Statutes;~~ the Oklahoma Secure and Fair Enforcement for Mortgage Licensing Act (SAFE Act) beginning at § 2095 of the Oklahoma Statutes and,
- (8) the Deferred Deposit Lending Act beginning at §3101 of Title 59 of the Oklahoma Statutes.

(b) When the Administrator is absent or unable to act for any reason, then the Deputy Administrator shall perform the duties of Administrator [14A:6-507].

160:1-1-7. Consumer Credit Advisory Committee

(a) **Purpose and authority.** The purpose of this rule is to establish procedures regarding the appointments of members to the Consumer Credit Advisory Committee (Committee). The Committee has authority to review fees applicable to licensees of the Department of Consumer Credit (Department) and to make recommendations to the Commission on Consumer Credit (Commission) regarding any fees applicable to licensees of the Department. The Commission appoints members of the Committee and has authority to prescribe rules governing appointments to the Committee.

(b) **Members.** The Committee consists of eleven (11) members. Ten (10) members are appointed by the Commission and the Administrator of Consumer Credit serves as the Chair of the Committee. The ten members appointed by the Commission are two (2) licensed supervised lenders, one (1) licensed pawnbroker, one (1) licensed mortgage broker and mortgage loan originator, one (1) licensed rental purchase dealer, one (1) licensed precious metal and gem dealer, one (1) licensed health spa, one (1) licensed credit services organization, one (1) entity or individual that has filed notification pursuant to 14A O.S. § 6-202 and one (1) licensed deferred deposit lender. The Commission may appoint an employee of a licensed entity to serve on the Committee.

(c) **Members recommended for appointment by professional associations.** The following Committee members are recommended for appointment by the following professional associations: One (1) supervised lender is recommended for appointment by the Oklahoma Consumer Finance Association; one (1) supervised lender is recommended for appointment by

the Independent Finance Institute; one (1) pawnbroker is recommended for appointment by the Oklahoma Pawnbrokers Association; one (1) rental purchase dealer is recommended for appointment by the Oklahoma Rental Dealers Association; one (1) mortgage broker and mortgage loan originator is recommended for appointment by the Oklahoma Association of Mortgage Professionals and one (1) deferred deposit lender is recommended for appointment by the Community Financial Services Association.

(d) Members not recommended for appointment by professional associations. The following Committee members are not recommended for appointment by a professional association: One licensed precious metal and gem dealer; one (1) licensed health spa; one (1) licensed credit services organization and one (1) entity or individual that has filed notification pursuant to 14A O.S. § 6-202.

(e) Appointment procedures of members recommended by professional associations.

(1) Notification. The Commission Secretary shall submit notification to each professional association responsible for making an appointment recommendation when a vacancy occurs. The notification may be submitted by electronic mail, facsimile or regular United States Mail and shall be addressed to the association director, president or chief officer, as applicable. The notification shall request the association to submit a list of three (3) names and accompanying resumes for recommendation to the Committee within thirty (30) days from the date notification is sent. Failure of an association to submit the required list of names and accompanying resumes shall result in a vacancy for the applicable licensee member until a list of names and accompanying resumes are submitted and a member is appointed by the Commission.

(2) Appointment. The Commission Secretary shall forward the list of recommendations and accompanying resumes to Commission members prior to the next regularly scheduled Commission meeting following the submission of recommendations and resumes. A member shall be appointed upon a nominating motion from the list of recommended names, a seconded nomination motion and a majority vote of voting Commission members present at the meeting.

(f) Appointment procedures for members not recommended by professional associations.

(1) Notification. Notification of a vacancy shall be published on the main page of the Department Internet website by the Commission Secretary. The notification shall request recommendations and resumes for applicable appointments to be submitted to the Commission Secretary by electronic mail, facsimile or regular United States mail within thirty (30) days from the date notification is published on the Department Internet website. The notification shall be published for a period of thirty (30) calendar days. Failure to submit recommendations and accompanying resumes shall result in a vacancy for the applicable licensee member until a list of names and accompanying resumes are submitted and a member is appointed by the Commission.

(2) Appointment. The Commission Secretary shall forward the list of names and accompanying resumes to Commission members following the conclusion of the notification publication period and prior to the next regularly scheduled Commission meeting. A member shall be appointed upon a nominating motion from the list of submitted names, a seconded nomination motion and a majority vote of voting Commission members present at the meeting.

