

FILED

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

MAR 05 2018

STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,)
)
Petitioner)
)
v.)
)
CUMMINS CHEVROLET BUICK GMC)
CADILLAC INC.,)
)
Respondent)

Case No. 17-0371-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Cummins Chevrolet Buick GMC Cadillac Inc., ("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. Respondent is a domestic for profit business corporation under the State of Oklahoma, Oklahoma Secretary of State filing number 1900422782, active filing status.
- b. Respondent transacts business at 1300 N. Airport Road, Weatherford, OK 73096.
- c. On August 25, 2017, Jimmie Ray and Michael Thompson, consumer credit investigators, entered Respondent's business premises and spoke to Richard Brandt, Finance Director.
- d. The investigators asked Mr. Brandt if Respondent offers finance options consumers. Mr. Brandt advised that Respondent uses Ally Bank and GM Financial among others as lenders for finance sources for their

consumers. He explained the consumers sign all the finance paperwork at Respondent's location and the contract is assigned to a lender. Mr. Brandt said that Respondent has been in operation for more than 20 years. Upon request, the investigators scanned copies of the retail installment contracts.

- e. The copy of the Retail Installment Sale Contract for K. Cameron lists the purchase of a 2010 Jeep Liberty. The Seller is listed as Cummins Pontiac Buick GMC Inc. with the business address listed as I-40 at Airport Road, Weatherford, OK 73096. The terms of the contract are 60 monthly payments in the amount of \$318.86 with the first payment due on April 4, 2016. Total sales price of the vehicle is \$20,131.60. The interest rate is listed as 14.18%.
- f. Respondent is not a supervised financial organization or a person holding a license to make supervised loans issued under 14A O.S. § 3-501 et seq.
- g. As of February 27, 2018, 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). Respondent previously held a Notification license (NOT74080); said license expired on January 31, 2009.
- h. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2017.
- i. 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 Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order.

(3) Respondent will submit a notification filing application and pay all applicable registration/application fees to the Department on or before March 30, 2018. In addition, Respondent agrees to pay a \$1,000.00 civil penalty payable to the Oklahoma Department of Consumer Credit, on or before March 30, 2018.

(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 17-0371-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, 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.

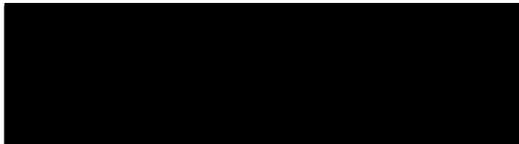
(6) If Respondent fails to comply with the terms of this Consent Order, the Administrator of the Department of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 14 O.S. § 6-113(4).



*JUBEN TORANI
DEPUTY ADMINISTRATOR
FOR*

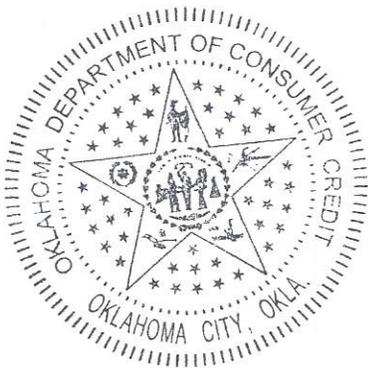
Scott Leshner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 3-5-18



Cummins Chevrolet Buick GMC
Cadillac Inc.

Dated: 3-1-18

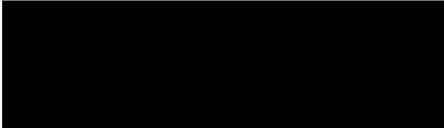


VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0371-DIS

STATE OF OKLAHOMA)

COUNTY OF Custer)

Signed and sworn to (or affirmed) before me on
1 March, 2018, by Wade Dorsey of Cummins
Chevrolet Buick GMC Cadillac Inc.



Cummins Chevrolet Buick GMC
Cadillac Inc.



(Seal)



Notary Public

My commission expires:

12-13-21