

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

FILED

AUG 31 2017

STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

STATE OF OKLAHOMA ex rel.)
DEPARTMENT OF CONSUMER CREDIT,)
)
Petitioner)
)
v.)
)
MILO GORDON, INC.,)
D/B/A MILO GORDON HONDA,)
)
MILO GORDON, INC.,)
D/B/A MILO GORDON MAZDA,)
)
GREEN AUTOMOTIVE, LP,)
D/B/A MILO GORDON AUTOMALL,)
)
Respondents)

Case Nos. 17-0007-DIS
17-0012-DIS
17-0017-DIS

CONSENT ORDER

Petitioner, State of Oklahoma ex rel. Department of Consumer Credit ("Petitioner") and Respondents, Milo Gordon, Inc. d/b/a Milo Gordon Honda, Milo Gordon, Inc., d/b/a Milo Gordon Mazda and Green Automotive, LP d/b/a Milo Gordon Automall, ("Respondents") voluntarily enter into this Consent Order as an informal disposition of these individual proceedings to avoid litigation. Respondents agree to waive their right to a hearing under the Oklahoma Administrative Procedures Act and all 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 with respect to Respondent, Milo Gordon, Inc. d/b/a Milo Gordon Honda.

- a. Respondent is a domestic for profit business corporation under the State of Oklahoma, Oklahoma Secretary of State filing number 1900205186, active filing status.
- b. Respondent transacts business at 5010 NW Cache Road, Lawton, OK 73505.

- c. On December 13, 2016, Alicia Gregg, a consumer credit examiner, entered Respondent's business premises and spoke to Brooke Wyatt, Marketing and Finance Director.
- d. The examiner asked Ms. Wyatt if Respondent had any finance companies or banks they worked with, and Ms. Wyatt stated that American Honda Finance and Capital One were a couple they used.
- e. The examiner asked to see copy of Respondent's contracts, and Ms. Wyatt provided one. The examiner noted that the contract listed the Seller as Milo Gordon Honda with the business address listed.
- f. On June 27, 2017, Petitioner issued a subpoena duces tecum to Brooke Wyatt of Milo Gordon Honda at the address of 5010 NW Cache Rd., Lawton, OK 73505. Respondent was requested to submit documents no later than July 27, 2017. Ten (10) Retail Installment Sale Contracts were received on July 26, 2017.
- g. The copy of the Retail Installment Sale Contract for E. Allen lists the purchase of a 2011 Mazda 6. The Seller is listed as Milo Gordon Honda with the business address listed. The terms of the contract are 60 monthly payments in the amount of \$364.53 with the first payment due on February 16, 2016. Total sales price of the vehicle is \$21,871.80. The interest rate is listed as 17.39%.
- h. 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.*
- i. As of August 10, 2017 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 (NOT80700) which expired February 1, 2010.
- j. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2016.
- k. 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) Petitioner restates and incorporates by reference the allegations made by Petitioner in the Notice of Hearing filed in this matter with respect to Respondent, Milo Gordon, Inc. d/b/a Milo Gordon Mazda.

- a. Respondent is a domestic for profit business corporation under the State of Oklahoma, Oklahoma Secretary of State filing number 1900205186, active filing status.
- b. Respondent transacts business at 5221 NW Cache Road, Lawton, OK 73505.
- c. On December 13, 2016, Alicia Gregg, a consumer credit examiner, entered Respondent's business premises and spoke to Shaun Hamilton.
- d. The examiner had previously done an investigation of Milo Gordon Honda earlier in the day, and Brook Wyatt, Marketing and Finance Director at that location had contacted Mr. Hamilton at Respondent's location and informed him that the examiner would be by to pick up copies of contracts. He provided two copies of contracts to the examiner.
- e. On June 27, 2017, Petitioner issued a subpoena duces tecum to Shaun Hamilton of Milo Gordon Mazda at the address of 5221 NW Cache Rd., Lawton, OK 73505. Respondent was requested to submit documents no later than July 27, 2017. Ten (10) Retail Installment Sale Contracts were received on July 26, 2017.
- f. The copy of the Retail Installment Sale Contract for D. Boyiddle lists the purchase of a 2012 Mazda 3. The Seller is listed as Milo Gordon Mazda with the business address listed. The terms of the contract are 72 monthly payments in the amount of \$257.47 with the first payment due on April 26, 2016. Total sales price of the vehicle is \$20,037.84. The interest rate is listed as 16.47%.
- g. 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.

- h. As of August 10, 2017 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).
- i. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2016.
- j. 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(A).

(3) Petitioner restates and incorporates by reference the allegations made by Petitioner in the Notice of Hearing filed in this matter with respect to Respondent, Green Automotive, LP d/b/a Milo Gordon Automall.

- a. Respondent is a domestic limited partnership under the State of Oklahoma, Oklahoma Secretary of State filing number 3312023485, active filing status.
- b. Respondent transacts business at 5002 NW Cache Road, Lawton, OK 73505.
- c. On December 13, 2016, Alicia Gregg, a consumer credit examiner, entered Respondent's business premises and spoke to Brooke Wyatt, Marketing and Finance Director.
- d. The examiner asked Ms. Wyatt if Respondent had any finance companies or banks they worked with, and Ms. Wyatt stated that American Honda Finance and Capital One were a couple they used.
- e. The examiner asked to see copy of Respondent's contracts, and Ms. Wyatt provided one. The examiner noted that the contract listed the Seller as Milo Gordon Auto Mall with the business address listed.
- f. On June 27, 2017, Petitioner issued a subpoena duces tecum to Brooke Wyatt of Milo Gordon Automall at the address of 5002 NW Cache Rd., Lawton, OK 73505. Respondent was requested to submit documents no later than July 27, 2017. Ten (10) Retail Installment Sale Contracts were received on July 26, 2017.

- g. The copy of the Retail Installment Sale Contract for G. Steele lists the purchase of a 2015 Nissan Sentra. The Seller is listed as Milo Gordon Automall with the business address listed. The terms of the contract are 72 monthly payments in the amount of \$418.48 with the first payment due on August 27, 2016. Total sales price of the vehicle is \$31,882.20. The interest rate is listed as 14.29%.
- h. 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.*
- i. As of August 10, 2017 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).
- j. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2016.
- k. 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).

(4) Respondents do not admit to the allegations made by Petitioner in the Notices of Hearing filed in these matters, and incorporated by reference in this Consent Order.

(5) Respondents will submit a notification filing application for each location and pay all applicable registration/application fees to the Department on or before September 1, 2017. In addition, Respondents agree to pay a combined civil penalty of \$2,500.00, payable to the Oklahoma Department of Consumer Credit, on or before September 1, 2017.

(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 Numbers 17-0007-DIS, 17-0012-DIS and 17-0017-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.

(7) A file stamped copy of this Consent Order will be returned to Respondents upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

(8) If Respondents fail 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: 8/31/17

[Redacted]

Milo Gordon, Inc.
d/b/a Milo Gordon Honda

Dated: 8-24-17

[Redacted]

Milo Gordon, Inc.
d/b/a Milo Gordon Mazda

Dated: 8-24-17

[Redacted]

Green Automotive, LP
d/b/a Milo Gordon Automall

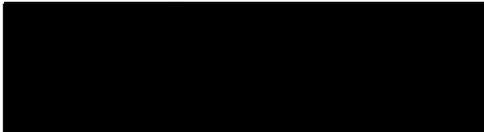
Dated: 8-24-17

VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0007-DIS

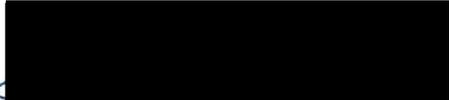
STATE OF _____)

COUNTY OF _____)

Signed and sworn to (or affirmed) before me on August 24, 2017, 2017, by Michael T Gordon of Milo Gordon, Inc. d/b/a Milo Gordon Honda.



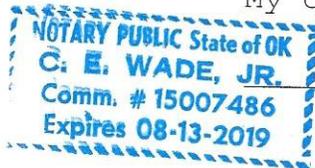
Milo Gordon, Inc.
d/b/a Milo Gordon Honda



(Seal, if any)

Notary Public

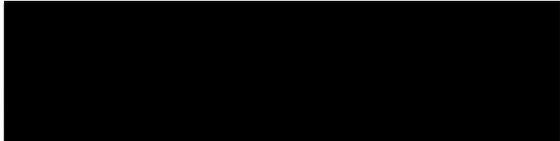
My commission expires:



VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0012-DIS

STATE OF _____)
)
COUNTY OF _____)

Signed and sworn to (or affirmed) before me on August 24, 2017,
2017, by Michael T. Gordon of Milo Gordon, Inc. d/b/a Milo
Gordon Mazda.



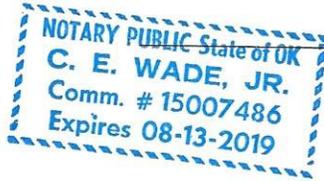
Milo Gordon, Inc.
d/b/a Milo Gordon Mazda



(Seal, if any)

Notary Public

My commission expires:



VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0017-DIS

STATE OF _____)
)
COUNTY OF _____)

Signed and sworn to (or affirmed) before me on August 24, 2017
2017, by Michael T. Gordon of Green Automotive, LP d/b/a
Milo Gordon Automall.



Green Automotive, LP
d/b/a Milo Gordon Automall



(Seal, if any)

Notary Public

My commission expires:

