

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT MAY 11 2017
STATE OF OKLAHOMA



STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner))
)
v.))
)
NELSON MOTORS, L.L.C.,)
D/B/A NELSON MAZDA,)
)
Respondent)

Case No. 16-0322-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and the Respondent, Nelson Motors, L.L.C. d/b/a Nelson Mazda, ("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 limited liability company under the State of Oklahoma, Oklahoma Secretary of State filing number 3500677932, active filing status.
- b. Respondent transacts business at 9902 S. Memorial Dr., Tulsa, OK 74133.
- c. On November 29, 2016, April Ledgerwood and Karen Banks, consumer credit examiners, entered Respondent's business premises and spoke to James Martin, General Manager.
- d. Mr. Martin stated that Respondent participated in indirect lending with 40 different lenders, including Chase, Mazda, US Bank and assorted credit unions, and that Respondent also offered in-house financing. Mr. Martin provided the examiners with two blank

contracts, one used for Mazda and the other used for all other lenders.

- e. On February 21, 2017, Petitioner issued a subpoena duces tecum to Patrick Evans, Finance Manager of Nelson Mazda at the address of 9902 S. Memorial Dr., Tulsa, OK 74133. Respondent was requested to submit documents no later than March 27, 2017. Ten (10) Retail Installment Sale Contracts were received on March 27, 2017.
- f. The copy of the Retail Installment Sale Contract for D. Graham lists the purchase of a 2016 Mazda CX5. The Seller is listed as Nelson Mazda with the business address listed. The terms of the contract are 66 monthly payments in the amount of \$411.71 with the first payment scheduled on April 25, 2016. Total sales price of the vehicle is \$35,971.86. An annual percentage rate of 2.29% is listed on the sale contract.
- g. The additional nine (9) Retail Installment Sales Contracts received all indicate the Seller as Nelson Mazda with the business address listed.
- 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 December 15, 2016, Respondent is licensed in the State of Oklahoma pursuant to the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. The notification filing license application was received on December 12, 2016.
- j. Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, on or before January 31, 2016.

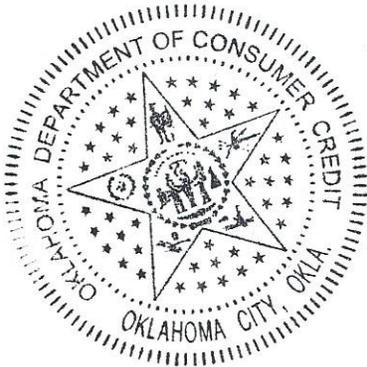
(2) Respondent does not admit to the allegations made by the Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order.

(3) Respondent agrees to pay a \$400.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before May 25, 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 16-0322-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 signature area]

Scott Mesher
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 5/11/17

[Redacted signature area]

Nelson Motors, L.L.C.
d/b/a Nelson Mazda

Dated: 5-2-17

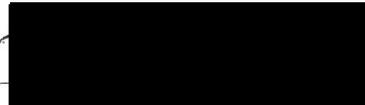
VERIFICATION OF CONSENT ORDER, CASE NUMBER 16-0322-DIS

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

Signed and sworn to (or affirmed) before me on MAY 2ND,
2017, by BRANDON MURPHY of Nelson Motors, L.L.C. d/b/a
Nelson Mazda.



Nelson Motors, L.L.C.,
d/b/a Nelson Mazda



(Seal, if any)

Notary Public

My commission expires:

8.22.20

