

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA



STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner))
)
v.) Case No. 17-0314-DIS
)
TOMPKINS MOTOR CO. INC.,)
)
Respondent)

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Tompkins Motor Co. 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 1900632949, active filing status.
- b. Respondent transacts business at 1551 W. Grant Ave., Pauls Valley, OK 73075.
- c. On July 12, 2017, Jimmie Ray and Michael Thompson, consumer credit examiners, entered Respondent's business premises and spoke to Shawn Tompkins, Owner.
- d. The examiners asked Mr. Tompkins if Respondent offers financing to consumers for vehicles at their location. Mr. Tompkins explained the dealership handles all the financing paperwork for the consumers at the dealership. Mr. Tompkins advised that at the dealership, the consumers sign a retail dealer

contract and the contract is assigned to a lender. Mr. Tompkins, upon request, showed the examiners a copy of a completed retail contract that listed customer signatures and financing terms. The contract listed Tompkins Motors as the seller. The examiners scanned a copy of the contract.

- e. On October 19, 2017, Petitioner issued a subpoena duces tecum to Shawn Tompkins of Tompkins Motor Co. Inc. at the address of 1551 W. Grant Ave., Pauls Valley, OK 73075. Respondent was requested to submit documents no later than November 20, 2017. Ten (10) Retail Installment Sale Contracts were received on November 18, 2017.
- f. The copy of the Retail Installment Sale Contract for J. Petross lists the purchase of a 2003 Chevrolet Tahoe. The Seller is listed as Tompkins Motor Co. with the business address listed. The terms of the contract are 29 monthly payments in the amount of \$190.66 with the first payment due on September 4, 2016. Total sales price of the vehicle is \$5,719.80. The interest rate is listed as 6.99%.
- 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 January 9, 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. Respondent previously held license number NOT81600, said license expired February 1, 2009.
- i. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2017.
- 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(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) Respondent will submit a notification filing application and pay all applicable registration/application fees to the Department on or before February 9, 2018. In addition, Respondent agrees to pay a \$1,000.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before February 9, 2018.

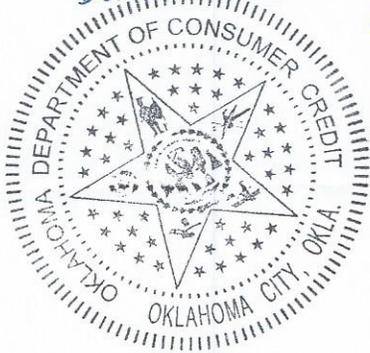
(4) The payment shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 17-0314-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

(5) A file stamped copy of this Consent Order will be returned to 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).



RUBEN TORRINI
DEPUTY ADMINISTRATOR
FOR.



Scott Leshar
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 2-12-18



Tompkins Motor Co. Inc.

Dated: 2-1-18

VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0314-DIS

STATE OF OKLAHOMA)

COUNTY OF MULLAIN)

Signed and sworn to (or affirmed) before me on 2-1-18,
2018, by Tracy Tompkins of Tompkins Motor Co. Inc.



Tompkins Motor Co. Inc.

(Seal, if any)



Notary Public



My commission expires:

03-15-20