

FILED

APR 16 2018

STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

STATE OF OKLAHOMA ex rel.)
DEPARTMENT OF CONSUMER CREDIT,)

Petitioner)

v.)

HODGE, INC.,)
D/B/A TOYOTA OF ARDMORE,)

Respondent)

Case No. 17-0296-DIS

CONSENT ORDER

Petitioner, State of Oklahoma ex rel. Department of Consumer Credit ("Petitioner") and the Respondent, Hodge, Inc., d/b/a Toyota of Ardmore, ("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 1900603233, active filing status.
- b. Respondent transacts business at 402 Holiday Drive, Ardmore, OK 73401.
- c. On June 19, 2017, Jimmie Ray and Michael Thompson, consumer credit investigators, entered Respondent's business premises and spoke to Shane Aaron, Finance Manager.
- d. The investigators asked Mr. Aaron if Respondent offers financing to consumers for vehicles at their location. Mr. Aaron explained the finance department handles all the financing paperwork for the consumers at the

dealership. Mr. Aaron advised that at the dealership the consumers sign a retail dealer contract and the contract is assigned to a lender. Mr. Aaron, upon request showed the investigators a copy of a completed retail contract that listed customer signatures and financing terms. The contract listed Hodge, Inc. as the seller. The investigators took a photo of the contract.

- e. On October 18, 2017, Petitioner issued a subpoena duces tecum to the Finance Manager of Toyota of Ardmore at the address of 402 Holiday Dr., Ardmore, OK 73401. Respondent was requested to submit documents no later than November 20, 2017. Ten (10) Retail Installment Sale Contracts were received on February 16, 2017.
- f. Respondent has engaged or offered to engage in making consumer credit sales. The copy of the Retail Installment Sale Contract for T. Kaleiohi lists the purchase of a 2014 Toyota Camry. The Seller is listed as Toyota of Ardmore with the business address listed. The terms of the contract are 72 monthly payments in the amount of \$395.80 with the first payment due on March 28, 2017. Total sales price of the vehicle is \$28,497.60. The interest rate is listed as 12.59%.
- 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 the date of March 12, 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).
- 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 April 27, 2018. In addition, Respondent agrees to pay a \$1,000.00 civil penalty payable to the Oklahoma Department of Consumer Credit in two installments of \$500.00 each, with first installment due on or before April 27, 2018 and second installment due on or before May 27, 2018.

(4) The payments shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 17-0296-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).



[Redacted Signature]
Scott Lesner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 4/11/18

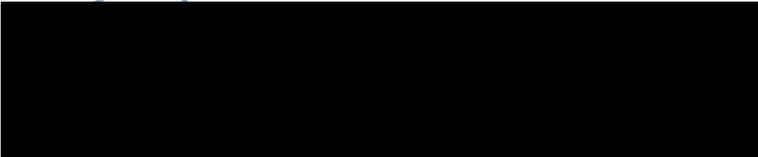
[Redacted Signature]
Hodge, Inc. dba Toyota of Ardmore

Dated: 4/11/18

VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0296-DIS

STATE OF OKLAHOMA)
)
COUNTY OF Carter)

Signed and sworn to (or affirmed) before me on
April 11, 2018, by Jeremy R. Hodge of Hodge, Inc.
dba Toyota of Ardmore.



Hodge, Inc. dba Toyota of Ardmore



Notary Public

My commission expires:

5/13/2021