

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

STATE OF OKLAHOMA, )  
ex rel, DEPARTMENT OF )  
CONSUMER CREDIT )  
 )  
Petitioner )  
 )  
v. )  
 )  
OKC IMPORTS AUTOPLEX )  
 )  
Respondent )

Case No. 10-0159-DIS



**NOTICE OF HEARING**

The State of Oklahoma, ex rel., Oklahoma Department of Consumer Credit, alleges and states as follows:

**JURISDICTION, AUTHORITY AND REQUIREMENTS**

1. The Administrator of Consumer Credit (Administrator) is responsible for the enforcement of the Uniform Consumer Credit Code, 14A O.S. §§ 1-101 et seq., (UCCC). 14A O.S. § 6-501.

2. The term "licensee" or "license," as used in the UCCC, includes any entity or individual that has filed or is required to file notification with the Administrator pursuant to the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. 14A O.S. § 6-203(2).

**Penalties**

1. The Administrator may, after notice and hearing, censure, probate, suspend, revoke or refuse to renew any license, or in addition to or in lieu of censure, probation, suspension or revocation, order refunds for unlawful charges if the Administrator finds that:

(a) The licensee has failed to pay the annual license fee imposed by the UCCC, or an examination fee, investigation fee or other fee or charge imposed by the Administrator under the authority of the UCCC,

(b) The licensee, either knowingly or without the

exercise of due care to prevent the same, has violated any provision of the UCCC or any regulation or order lawfully made pursuant to and within the authority of the UCCC, or

(c) Any fact or condition exists which, if it had existed or had been known to exist at the time of the original application for such license, clearly would have justified the Administrator in refusing to issue such license. 14A O.S. § 3-505.

2. After notice and hearing, the Administrator may order a creditor or a person acting the creditor's behalf to cease and desist from engaging in violations of the UCCC. 14A O.S. § 6-108.

3. Any entity or individual offering to engage or engaged in making consumer credit sales, consumer leases, consumer loans or supervised loans in the State of Oklahoma without a license or notification filing required by the UCCC shall be subject to a civil penalty not to exceed Five Thousand Dollars (\$5,000.00). 14A O.S. § 6-113(3).

#### **Appointment of independent hearing examiner**

1. The Administrator shall appoint an independent hearing examiner to conduct all administrative hearings involving alleged violations of the SAFE Act. The independent hearing examiner shall have authority to exercise all powers granted by Article II of the Administrative Procedures Act in conducting hearings. 14A O.S. § 3-505(1).

2. The independent hearing examiner shall have authority to recommend penalties authorized by the SAFE Act and issue proposed orders, with proposed findings of fact and proposed conclusions of law, to the Administrator pursuant to Article II of the Administrative Procedures Act. The Administrator shall review the proposed order and issue a final agency order in accordance with Article II of the Administrative Procedures Act. 59 O.S. § 2095.17(D). 14A O.S. § 3-505(1).

#### **Hearing costs**

Hearing costs may be assessed by the hearing examiner against the Respondent, unless the Respondent is the prevailing party. 14A O.S. § 3-505(1).

## **Appeals**

A final agency order issued by the Administrator shall be appealable by all parties to an Oklahoma district court as provided by Article II of the Administrative Procedures Act. 14A O.S. § 3-505(1).

### **Requirements for individual proceedings at the Department of Consumer Credit**

The Respondent is responsible for reviewing the administrative rules regarding procedures and requirements for references of parties, entries of appearances, continuances, subpoenas and Consent Orders for individual proceedings at the Department of Consumer Credit. The administrative rules regarding individual proceedings are located at OKLA. ADMIN. CODE § 160:3-1-4. A copy of the individual proceeding rules has been attached to this Notice of Hearing for reference.

### **Enforcement of final agency order or settlement agreement**

Any administrative order or settlement agreement imposing a civil penalty pursuant to the SAFE Act may be enforced in the same manner as civil judgments in the State of Oklahoma. The Administrator may file an application to enforce an administrative order or settlement agreement imposing a civil penalty in the district court of Oklahoma County. 14A O.S. § 6-113(4).

### **ALLEGATIONS OF FACT**

1. The Respondent received authorization from the Administrator to make consumer credit sales in the State of Oklahoma on July 27, 2010, known as a notification filing.
2. The Respondent's notification filing number is 62169.
3. An investigation report dated November 9, 2011 (investigation report) was submitted to the Respondent via certified mail, return receipt requested.
4. The investigation report concerned consumer credit sales made by the Respondent and instructed the Respondent to either voluntarily comply with the investigation report or contest the findings of the investigation report within thirty (30) days from the date of receipt of the investigation report.

5. The Respondent received the investigation report on November 14, 2011.

6. The Respondent contacted the Petitioner via telephone on December 13, 2011 to discuss the investigation report and request an extension of time to respond to the investigation report.

7. The Petitioner submitted a letter dated December 13, 2011 to the Respondent extending the deadline for a response to the November 9, 2011 investigation report for a period of ten (10) days from the date of the December 13, 2011 letter.

8. The Respondent received the December 13, 2011 investigation report extension of time to respond on December 17, 2011.

9. As of June 13, 2012, the Respondent has failed to respond to the November 9, 2011 investigation report.

10. The November 9, 2011 investigation report includes the following information:

(a) The Respondent entered into a retail installment sales contract with Julian Sudbrock dated June 8, 2010. The Respondent failed to disclose the final payment date in the retail installment sales contract. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(b) The Respondent entered into a retail installment sales contract with Darla Ash dated June 5, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(c) The Respondent entered into a retail installment sales contract with Candra L. Davis dated May 24, 2010. The account payment history of Candra L. Davis indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on July 20, 2010 for a payment that was due July 15, 2010;

(ii) \$25.00 late fee on October 26, 2010 for a payment that was due October 15, 2010;

(iii) \$25.00 late fee on November 18, 2010 for a payment that was due November 15, 2010;

(iv) \$25.00 late fee on December 22, 2010 for a payment that was due December 15, 2010;

(v) \$25.00 late fee on January 24, 2011 for a payment that was due January 15, 2011.

(vi) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(vii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(d) The Respondent entered into a retail installment sales contract with Bridget G. Baysinger dated May 14, 2010. The account payment history of Bridget G. Baysinger indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on June 2, 2010 for a payment that was due May 26, 2010;

(ii) \$25.00 late fee on June 10, 2010 for a payment that was due on June 9, 2010;

(iii) \$25.00 late fee on August 9, 2010 for a payment that was due July 21, 2010.

(iv) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(v) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(e) The Respondent entered into a retail installment sales contract with Juan Valle dated May 13, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(f) The Respondent entered into a retail installment

sales contract with Rayan Cavanaugh dated May 29, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(g) The Respondent entered into a retail installment sales contract with Brandon Nathan Corley dated April 12, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(h) The Respondent entered into a retail installment sales contract with Lynn Garza dated March 9, 2010. The account payment history of Lynn Garza indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on August 21, 2010 for a payment that was due August 15, 2010;

(ii) \$25.00 late fee on September 22, 2010 for a payment that was due on September 15, 2010;

(iii) \$25.00 late fee on November 3, 2010 for a payment that was due October 15, 2010.

(iv) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(v) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(i) The Respondent entered into a retail installment sales contract with Lisbeth Santillan dated March 22, 2010. The account payment history of Lisbeth Santillan indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on January 26, 2011 for a payment that was due January 19, 2011.

(ii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(j) The Respondent entered into a retail installment sales contract with Rena Antoinette Cohen dated March 11, 2010. The account payment history of Rena Antoinette Cohen indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on July 6, 2010 for a payment that was due June 1, 2010.

(ii) \$25.00 late fee on October 5, 2010 for a payment that was due October 1, 2010.

(iii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iv) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(k) The Respondent entered into a retail installment sales contract with Jacob Browning dated March 23, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(l) The Respondent entered into a retail installment sales contract with Cassandra Fixico dated February 4, 2010. The account payment history of Cassandra Fixico indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on July 16, 2010 for a payment that was due July 4, 2010.

(ii) \$25.00 late fee on August 8, 2010 for a payment that was due August 4, 2010.

(iii) \$25.00 late fee on September 9, 2010 for a payment that was due September 4, 2010.

(iv) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(v) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(m) The Respondent entered into a retail installment sales contract with Charles or Kimberly Reser dated February 18, 2010. The account payment history of Charles or Kimberly Reser indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on September 17, 2010 for a payment that was due September 15, 2010.

(ii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(n) The Respondent entered into a retail installment sales contract with Serena Griffin dated January 28, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(o) The Respondent entered into a retail installment sales contract with McKenzie Case dated January 19, 2010. The account payment history of McKenzie Case indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on February 6, 2010 for a payment that was due February 1, 2010.

(ii) \$25.00 late fee imposed on March 8, 2010 for a payment that was due March 1, 2010.

(iii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iv) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(p) The Respondent entered into a retail installment sales contract with Andy Goodroad dated January 4, 2010. The account payment history of Andy Goodroad indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on July 17, 2010 for a payment that was due June 1, 2010.

(ii) \$25.00 late fee on September 17, 2010 for a payment that was due July 1, 2010.

(iii) \$25.00 late fee on October 30, 2010 for a payment that was due August 1, 2010.

(iv) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(v) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(q) The Respondent entered into a retail installment sales contract with Phillip Gurau dated November 30, 2009. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(r) The Respondent entered into a retail installment sales contract with Donald Green dated October 3, 2009. The account payment history of Donald Green indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on May 7, 2010 for a payment that was due May 1, 2010.

(ii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(s) The Respondent entered into a retail installment sales contract with Lauran Thompson or Travis Claborn dated October 31, 2009. The account payment history of Lauran Thompson or Travis Claborn indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on January 4, 2010 for a payment that was due January 1, 2010.

(ii) \$25.00 late fee on February 4, 2010 for a

payment that was due February 1, 2010.

(iii) \$25.00 late fee on March 3, 2010 for a payment that was due March 1, 2010.

(iv) \$25.00 late fee on April 3, 2010 for a payment that was due April 1, 2010.

(v) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(vi) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(t) The Respondent entered into a retail installment sales contract with Terry or Vanessa Davis dated October 17, 2009. The account payment history of Terry or Vanessa Davis indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on February 24, 2010 for a payment that was due February 20, 2010.

(ii) \$25.00 late fee on April 22, 2010 for a payment that was due April 20, 2010.

(iii) \$25.00 late fee on May 22, 2010 for a payment that was due May 20, 2010.

(iv) \$25.00 late fee on June 25, 2010 for a payment that was due June 20, 2010.

(v) \$25.00 late fee on November 20, 2010 for a payment that was due November 20, 2010.

(vi) \$25.00 late fee on January 21, 2011 for a payment that was due on January 20, 2011.

(vii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(viii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27,

2010.

(u) The Respondent entered into a retail installment sales contract with Benjamin Schnase dated September 26, 2009. The account payment history of Benjamin Schnase indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on November 17, 2009 for a payment that was due November 17, 2009.

(ii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(v) The Respondent entered into a retail installment sales contract with Maria C. Sandoval dated June 3, 2009. The account payment history of Maria C. Sandoval indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on October 6, 2009 for a payment that was due October 5, 2009.

(ii) \$25.00 late fee for a payment that was due December 7, 2009.

(iii) \$25.00 late fee on January 14, 2010 for a payment that was due January 5, 2010.

(iv) \$25.00 late fee on February 8, 2010 for a payment that was due February 5, 2010.

(v) \$25.00 late fee on March 6, 2010 for a payment that was due March 5, 2010.

(vi) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(vii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(w) The Respondent entered into a retail installment sales contract with Ian LookingGlass dated July 15, 2009. The account payment history of Ian LookingGlass indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on August 4, 2009 for a payment that was due July 31, 2009.

(ii) \$25.00 late fee on August 17, 2009 for a payment that was due August 14, 2009.

(iii) \$25.00 late fee on September 4, 2009 for a payment that was due August 28, 2009.

(iv) \$25.00 late fee on November 23, 2009 for a payment that was due November 20, 2009.

(v) \$25.00 late fee on December 7, 2009 for a payment that was due December 4, 2009.

(vi) \$25.00 late fee on January 5, 2010 for a payment that was due January 1, 2010.

(vii) \$25.00 late fee on February 2, 2010 for a payment that was due January 29, 2010.

(viii) \$25.00 late fee on February 15, 2010 for a payment that was due February 12, 2010.

(ix) \$25.00 late fee on March 27, 2010 for a payment that was due March 24, 2010.

(x) \$25.00 late fee on April 9, 2010 for a payment that was due April 7, 2010.

(xi) \$25.00 late fee on May 6, 2010 for a payment that was due May 6, 2010.

(xii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(xiii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(x) The Respondent entered into a retail installment sales contract with Sarah Hallett dated August 15, 2009. The account payment history of Sarah Hallett indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on February 17, 2010 for a payment that was due February 15, 2010.

(ii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(y) The Respondent entered into a retail installment sales contract with David C. Thannhausen dated September 29, 2009. The account payment history of David C. Thannhausen indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on February 6, 2010 for a payment that was due February 1, 2010.

(ii) \$25.00 late fee on March 15, 2010 for a payment that was due March 1, 2010.

(iii) \$25.00 late fee on May 7, 2010 for a payment that was due May 1, 2010.

(iv) \$25.00 late fee on June 4, 2010 for a payment that was due June 1, 2010.

(v) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(vi) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(z) The Respondent entered into a retail installment sales contract with Shelley Hodge dated September 25, 2009. The account payment history of Shelley Hodge indicates that the

following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on December 7, 2009 for a payment that was due November 25, 2009.

(ii) \$25.00 late fee on December 31, 2009 for a payment that was due December 25, 2009.

(iii) \$25.00 late fee on February 12, 2010 for a payment that was due January 25, 2010.

(iv) \$25.00 late fee on May 7, 2010 for a payment that was due April 25, 2010.

(v) \$25.00 late fee on May 25, 2010 for a payment that was due May 25, 2010.

(vi) \$25.00 late fee on July 2, 2010 for a payment that was due June 25, 2010.

(vii) \$25.00 late fee on July 30, 2010 for a payment that was due July 25, 2010.

(viii) \$25.00 late fee on September 11, 2010 for a payment that was due August 25, 2010.

(ix) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(x) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(aa) The Respondent entered into a retail installment sales contract with Darlene Shattuck dated January 21, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(bb) The Respondent entered into a retail installment sales contract with Darlene Shattuck dated July 3, 2009. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(cc) The Respondent entered into a retail installment sales contract with Jose Rives dated June 26, 2009. The Respondent received authorization to make consumer credit sales

in the State of Oklahoma on July 27, 2010.

(dd) The Respondent entered into a retail installment sales contract with Francis Rios dated July 28, 2010.

(ee) The Respondent entered into a retail installment sales contract with Amy Klimkowski dated May 18, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(ff) The Respondent entered into a retail installment sales contract with Chevella McKinney dated July 23, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(gg) The Respondent entered into a retail installment sales contract with Pam Prince Brown dated June 6, 2009. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(hh) The Respondent entered into a retail installment sales contract with Jammal Mitchell dated March 5, 2008. The account payment history of Jammal Mitchell indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on April 30, 2008 for a payment that was due April 30, 2008.

(ii) \$25.00 late fee on May 30, 2008 for a payment that was due May 30, 2008.

(iii) \$25.00 late fee on July 7, 2008 for a payment that was due June 28, 2008.

(iv) \$25.00 late fee on July 30, 2008 for a payment that was due July 28, 2008.

(v) \$25.00 late fee on September 4, 2008 for a payment that was due August 28, 2008.

(vi) \$25.00 late fee on October 8, 2008 for a payment that was due September 28, 2008.

(vii) \$25.00 late fee on January 11, 2008 for a payment that was due October 28, 2008.

(viii) \$25.00 late fee on November 3, 2008 for a payment that was due October 28, 2008.

(ix) \$25.00 late fee on February 3, 2009 for a payment that was due January 28, 2008.

(x) \$25.00 late fee for a payment that was due September 17, 2009.

(xi) \$25.00 late fee for a payment that was due October 30, 2009.

(xii) \$25.00 late fee on February 1, 2010 for a payment that was due December 29, 2009.

(xiii) \$25.00 late fee on February 27, 2010 for a payment that was due January 29, 2010.

(xiv) \$25.00 late fee on June 7, 2010 for a payment that was due February 29, 2010.

(xv) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(xvi) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(ii) The Respondent entered into a retail installment sales contract with Raynard Young dated August 25, 2009. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(jj) The Respondent entered into a retail installment sales contract with Melissa Ann Thomas dated November 4, 2008. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(kk) The Respondent entered into a retail installment sales contract with Sergio Juarez dated February 13, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(ll) The Respondent entered into a retail installment sales contract with Alicia Donnell dated February 23, 2010. The

account payment history of Alicia Donnell indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on May 22, 2010 for a payment that was due May 15, 2010.

(ii) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(iii) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(mm) The Respondent entered into a retail installment sales contract with Kenneth Bills dated June 11, 2008. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(nn) The Respondent entered into a retail installment sales contract with Rachel Sims dated August 6, 2009. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(oo) The Respondent entered into a retail installment sales contract with Jennifer Garza dated February 14, 2009. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(pp) The Respondent entered into a retail installment sales contract with Vanessa Tellez dated November 25, 2008. The account payment history of Vanessa Tellez indicates that the following late charges were imposed on the customer as follows:

(i) \$25.00 late fee on February 4, 2009 for a payment that was due January 25, 2009.

(ii) \$25.00 late fee on April 13, 2009 for a payment that was due March 25, 2009.

(iii) \$25.00 late fee on May 13, 2009 for a payment that was due April 25, 2009.

(iv) The Respondent failed to disclose to the customer in the retail installment sales contract that late fees would be imposed for failure to make a timely payment.

(v) The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(qq) The Respondent entered into a retail installment sales contract with Alexander Oxlat dated July 17, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

(rr) The Respondent entered into a retail installment sales contract with Marchella Lugrand dated June 25, 2010. The Respondent received authorization to make consumer credit sales in the State of Oklahoma on July 27, 2010.

#### **ALLEGED VIOLATIONS OF LAW**

1. The Respondent has violated 14A O.S. §§ 3-505(2)(b) and 2-203(1) and (3) by either knowingly or without the exercise of due care to prevent the same, violating any provision of this title by violating § 2-203(1) and (3) by failing to contract for a delinquency charge on consumer credit sales installments in which a delinquency charge was imposed on consumers and by collecting a delinquency charge on consumer credit sales installments which were paid in full within ten (10) days after the scheduled installment due date.

2. The Respondent has violated 14A O.S. § 6-113(3) by offering to engage or engaging in making consumer credit sales in this state without a notification filing required by the UCCC.

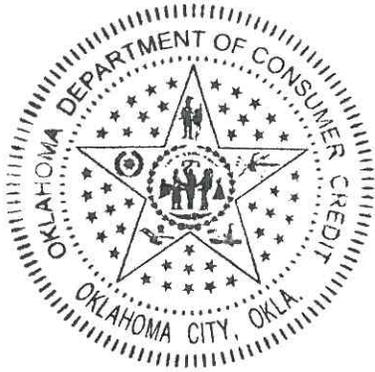
#### **TIME, PLACE AND NATURE OF HEARING**

1. A hearing will be held before an independent hearing examiner on July 23, 2012 at 9:00 a.m. at the office of the Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

2. The purpose of the hearing is to address the allegations contained in this Notice and to determine if any penalties authorized by the UCCC shall be imposed against the Respondent.

3. Correspondence regarding this matter shall be directed to Roy John Martin, General Counsel, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112, telephone number 405-522-4665, email:

rmartin@okdocc.ok.gov.



*Roy John Martin*

---

Roy John Martin, OBA#19875  
Attorney for the Petitioner,  
State of Oklahoma, ex rel.,  
Department of Consumer Credit  
3613 N.W. 56th Street, Suite 240  
Oklahoma City, OK 73112  
Telephone: 405-522-4665  
Email: [rmartin@okdocc.ok.gov](mailto:rmartin@okdocc.ok.gov)