

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

STATE OF OKLAHOMA, )  
ex rel, DEPARTMENT OF )  
CONSUMER CREDIT )  
 )  
Petitioner )  
 )  
v. )  
 )  
SAFE SHED LEASING, LLC )  
 )  
Respondent )

Case No. 12-0023-DIS



**NOTICE OF HEARING**

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

**JURISDICTION, AUTHORITY AND REQUIREMENTS**

1. The Administrator of Consumer Credit (Administrator) is charged with the administration and enforcement of the Oklahoma Rental-Purchase Act, 59 O.S. §§ 1950 et seq.
2. Lessors shall pay an annual license renewal fee per place of business, which fees shall accompany the license renewal form. 59 O.S. § 1953(A).
3. No person shall engage in business as a rental-purchase lessor without a license issued by the Administrator. 59 O.S. § 1952(A).

**Penalties**

1. After notice and hearing, the Administrator may decline to renew a license, or suspend or revoke any license issued pursuant to the Oklahoma Rental-Purchase Act for violating any provision of the Oklahoma Rental-Purchase Act or any rules promulgated by the Administrator, or in lieu of or in addition to such denial, suspension or revocation, order the refund of any unlawful charges, or enter a cease and desist order. 59 O.S. § 1955(E).
2. Any entity or individual offering to engage or engaged as a rental-purchase lessor in this state without a license

shall be subject to a civil penalty not to exceed Five Thousand Dollars (\$5,000.00). 59 O.S. § 1955(I).

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

1. The Administrator shall appoint an independent hearing examiner to conduct all administrative hearings involving alleged violations of the Oklahoma Rental-Purchase Act. The independent hearing examiner shall have authority to exercise all powers granted by Article II of the Administrative Procedures Act in conducting hearings. 59 O.S. § 1955(D).

2. The independent hearing examiner shall have authority to recommend penalties authorized by the Oklahoma Rental-Purchase 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. § 1955(D).

#### **Hearing costs**

The costs of the hearing examiner may be assessed by the hearing examiner against the Respondent, unless the Respondent is the prevailing party. 59 O.S. § 1955(D).

#### **Appeals**

A final agency order issued by the Administrator shall be appealable by all parties to the district court as provided in Article II of the Administrative Procedures Act. 59 O.S. § 1955(D).

#### **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.

## **Consent Order**

1. The Respondent may waive the right to a hearing and enter into a Consent Order with the Department. If the Respondent wishes to waive the right to a hearing, the Respondent shall sign and notarize the enclosed Consent Order and submit to the attention of Roy John Martin, General Counsel, Oklahoma Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

2. The signed and notarized Consent Order and any applicable penalties indicated in the Consent Order shall be received by the Petitioner on or before July 18, 2012.

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

Any administrative order or settlement agreement imposing a civil penalty pursuant to the Oklahoma Rental-Purchase 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. 59 O.S. § 1955(J).

### **ALLEGATIONS OF FACT**

1. The Respondent was licensed as a Rental-Purchase Lessor in the State of Oklahoma, license number RT000704.

2. The Respondent's Rental-Purchase Lessor license was not renewed for 2012 by the deadline of December 31, 2011.

3. On January 3, 2012, a delinquency letter was mailed via certified mail to the Respondent's mailing address at P.O. Box 417, Stratford, OK 74872. The letter stated that the renewal was not submitted by the deadline of December 1, 2011, and the license would expire on January 18, 2012 unless the license and fees were postmarked on or before January 18, 2012.

4. On January 11, 2012, the Petitioner received a return receipt for the delinquency letter sent via certified mail to the Respondent's mailing address on January 3, 2012.

5. On April 24, 2012, Consumer Credit Examiner Drew S'Renco made a telephone call to Respondent's business telephone

number of record, (580) 759-3456, and confirmed that Respondent's business was still offering to engage or engaged as a Rental-Purchase Lessor in the State of Oklahoma.

6. The Respondent's Internet website at [http://www.rentasafeshed.com/RENT\\_TO\\_OWN\\_OPTION.html](http://www.rentasafeshed.com/RENT_TO_OWN_OPTION.html) dated June 5, 2012 includes the following information:

**"RENT TO OWN OPTION**

SAFE SHED is leading the way in bringing the RENT-TO-OWN Concept to the Great State of OKLAHOMA!!!

How does this concept work? It's very simple: Pay a one-time start-up fee when you place your order for your dream: BUILDING, CARPORT, LOAFING SHED or STORM SHELTER. Once your quality-built SAFE SHED is delivered, you pay the first month's rental payment. These payments will continue monthly for 35 months.

THE GOOD NEWS IS.....

You're not locked into a 36 month commitment. Whoo!!! Freedom! You may pay off the balance of your purchase at any time during the 36 months, should you decide to do so. If you should decide that you no longer wish to rent the product, simply give us a call. We will retrieve it with out any additional consequence to you or your family.

As a pioneer of the RENT-TO-OWN opportunity, Safe Shed is committed to excellence through quality products and services. Let us help you achieve your dreams through our RENT-TO-OWN option today!!!!

**Rent to Own**  
**You May Contact Us Here Or By Phone**  
**(580) 759.3456**  
**info@rentasafeshed.com**

Please let us know some information about you so we may set up an appointment to discuss our rental opportunities. We have lots of creative financing options available. If you would please take the time to give us a \$amount of what you are looking to spend monthly in the comments section below that would be helpful. Thanks for your interest in our rent to own program and we will be contacting you shortly."

7. As of June 5, 2012, the Respondent is not licensed as a Rental-Purchase Lessor in the State of Oklahoma.

**ALLEGED VIOLATIONS OF LAW**

1. The Respondent has violated 59 O.S. § 1952(A) by operating as a Rental-Purchase Lessor without a license issued by the Administrator and by failing to pay an annual license renewal fee. 59 O.S. § 1953(A).

2. The Respondent has violated 59 O.S. § 1955(I) by engaging or offering to engage as a Rental-Purchase Lessor in the State of Oklahoma without a license.

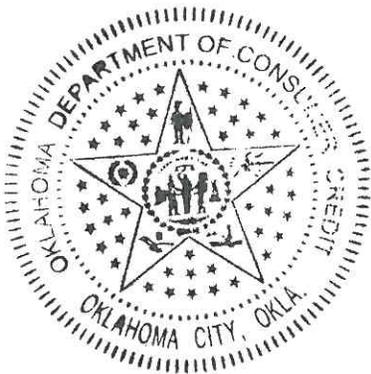
3. The Respondent has violated OKLA. ADMIN. CODE § 160:35-3-1.1(c) by failing to submit the lessor license renewal application for entities previously licensed.

**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 Administrator 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 Oklahoma Rental-Purchase Act 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](mailto:rmartin@okdocc.ok.gov).



*Roy John Martin*

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