

**MINUTES OF THE MEETING
OF THE
LOUISIANA MOTOR VEHICLE COMMISSION
MOTOR VEHICLE SALES FINANCE DIVISION
3519 12th Street
Metairie, Louisiana 70002
Monday, January 18, 2012**

The meeting was called to order at 11:52 a.m. by Chairman Raymond J. Brandt.

Present were:

Chairman Raymond J. Brandt	Commissioner Troy J. Duhon
Commissioner Brian C. Bent	Commissioner John B. Fabre
Commissioner John W. Timmons	Commissioner Thad J. Ryan, III s
Commissioner James C. "Jim" Hick	Commissioner Maurice C. Guidry
Commissioner Don P. Hargroder	Commissioner Donna S. Corley

L. A. House, Executive Director
Adrian F. LaPeyronnie, III, Counselor
Gregory F. Reggie, Counselor
Burgess E. McCranie, Jr., Counselor

Absent were:

Commissioner V. Price LeBlanc, Jr.	Commissioner Joseph W. "Bill" Westbrook
Commissioner Philip E. Tarver	Commissioner Alexis D. Hocevar

Also, in attendance were: Commission staff: Ingya Cattle, Assistant Executive Director; Art Quick, Compliance Investigator 5; Commission Investigators, Joel Aguillard, Amy Lawson, Wayne Lee and Ayanna Burton; Administrative Coordinators, Sylvia Schwarz and Stacey Broussard.

The Executive Director advised the Commission Members a pre-hearing had been on September 12, 2011, pursuant to LSA-R.S. 49:961C, regarding Hearing #2011-062, Lapalco Motors, L.L.C., 5424 Lapalco Boulevard, Marrero, Louisiana 70072, for alleged violations of LSA-R.S. 6:969.3.B. Exclusions; LSA-R.S. 6:969.35.A.(1) Authority to make consumer loans; assignees; authority to issue debt waiver or debt forgiveness agreements; Louisiana Administrative Code Title 46. Part V. Subpart 1. Chapter 7. Advertising §713A.2a. Untrue Claims; and §735A. Cash Offers. In attendance representing Lapalco Motors, L.L.C. was Donald Hyatt, II, Esq.; and representing the Commission were: Acting Chairman Bill Westbrook; Counselor Burgess McCranie; Assistant Executive Director, Ingya Cattle; Commissioner Investigator Perry Esponge; and the Executive Director. The Executive Director advised the Commission Members the following Consent Judgment had been recommended by Acting Chairman Westbrook and accepted by the representatives of Lapalco Motors, L.L.C., if accepted and ratified by the Commission. Commissioner Hicks made a motion to accept and ratify the Consent Judgment in this matter. Commissioner Hargroder seconded this motion and it was unanimously approved.

IN RE:

Hearing #2011-062

**Lapalco Motors, L.L.C.
5424 Lapalco Boulevard
Marrero, Louisiana 70072**

Alleged violations of LSA-R.S. 6:969.3.B. Exclusions; Louisiana Administrative Code Title 46. Part V. Subpart 1. Chapter 7. Advertising §713A.2a. Untrue Claims; and §735A. Cash Offers

CONSENT JUDGMENT

After considering the entire record in this matter and the interest of the parties in amicably resolving it, the parties have consented to a judgment in favor of the Louisiana Motor Vehicle Commission based upon alleged violations by Lapalco Motors, L.L.C. of LSA-R.S. 6:969.3.B. Exclusions; Louisiana Administrative Code Title 46. Part V. Subpart 1. Chapter 7. Advertising §713A.2a. Untrue Claims; and §735A. Cash Offers. Therefore, based on the parties' mutual consent;

IT IS ORDERED, ADJUDGED, AND DECREED that Lapalco Motors, L.L.C., 5424 Lapalco Boulevard, Marrero, Louisiana 70072, in complete satisfaction of all above-referenced violations, pay a fine to the Louisiana Motor Vehicle Commission in the amount of FIVE THOUSAND (\$5,000.00) DOLLARS.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that TWENTY-FIVE HUNDRED (\$2,500.00) DOLLARS of the fine be suspended conditioned upon Lapalco Motors, L.L.C., 5424 Lapalco Boulevard, Marrero, Louisiana 70072, being placed on ONE (1) YEAR probation beginning the date this Consent Judgment is rendered and signed and adhering to all Rules and Regulations of this Commission and Louisiana laws applicable to this Commission during the probationary period. In the event of a violation during the probationary period, the suspended portion of the fine shall become due and payable in full.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Lapalco Motors, L.L.C., 5424 Lapalco Boulevard, Marrero, Louisiana 70072, pay the cost of the pre-hearing conference to the Louisiana Motor Vehicle Commission in the amount of THREE HUNDRED (\$300.00) DOLLARS.

JUDGMENT RENDERED AND SIGNED this 18th day of January, 2012.

Acting Chairman Bill Westbrook
LOUISIANA MOTOR VEHICLE COMMISSION

AGREED:

LAPALCO MOTORS, L.L.C.

By: _____

LOUISIANA MOTOR VEHICLE COMMISSION

By: _____
Burgess E. McCranie, Jr., Commission Counsel

Chairman Brandt called for a reading of the minutes of the November 14, 2011 meeting. Commissioner Bent made a motion to accept the minutes as read. Commissioner Duhon seconded this motion and it was unanimously approved.

The Executive Director was directed to include in these minutes the following excerpt from the Louisiana Motor Vehicle Commission meeting immediately preceding this meeting.

“Chairman Brandt asked for a review of the November and December financial statements of the Louisiana Motor Vehicle Commission, Motor Vehicle Sales Finance Division, copies of which were before each Commission Member. Commissioner Bent made a motion to accept the November and December financial statements as presented and incorporate into these minutes. This motion was seconded by Commissioner Hicks and it was unanimously approved.”

Chairman Brandt called for a review of the motor vehicle sales finance license issued:

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Foti Financial Services of Gonzales, LLC DBA Foti Financial Services	Gonzales, Louisiana	#SF-2011-00922

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Fabre made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00922. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Ally Financial Inc. DBA Ally Financial	Costa Mesa, California	#SF-2011-00924

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Westbrook made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00924. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Ally Financial Inc. DBA GMAC Financial Services	Costa Mesa, California	#SF-2011-00925

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Duhon made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00925. Commissioner Hicks seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Ally Financial Inc. DBA GMAC	Costa Mesa, California	#SF-2011-00926

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Duhon made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00926. Commissioner Hargroder seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Ally Financial Inc. DBA GMAC Financial Services	Jacksonville, Florida	#SF-2011-00927

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Ryan made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00927. Commissioner Bent seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Ally Financial Inc. DBA Ally Financial	Jacksonville, Florida	#SF-2011-00928

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hicks made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00928. Commissioner Corley seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Ally Financial Inc. DBA GMAC	Jacksonville, Florida	#SF-2011-00929

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hargroder made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00929. Commissioner Bent seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
Ally Financial Inc. DBA Ally Financial	Lewisville, Texas	#SF-2011-00930

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hicks made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00930. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
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Ally Financial Inc. DBA GMAC	Lewisville, Texas	#SF-2011-00931
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The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Bent made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00931. Commissioner Timmon seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Ally Financial Inc. DBA GMAC Financial Services	Lewisville, Texas	#SF-2011-00932

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hargroder made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00932. Commissioner Guidry seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Ally Financial Inc. DBA Ally Financial	Little Rock, Arkansas	#SF-2011-00933

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hicks made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00933. Commissioner Ryan seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Ally Financial Inc. DBA GMAC Financial Services	Little Rock, Arkansas	#SF-2011-00934

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Ryan made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00934. Commissioner Timmon seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Ally Financial Inc. DBA GMAC	Little Rock, Arkansas	#SF-2011-00936

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Corley made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00936. Commissioner Bent seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Southwest Sales & Movers	Shreveport, Louisiana	#SF-2011-00939

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hicks made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00939. Commissioner Ryan seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Credit Plan of Baton Rouge, Inc.	Baton Rouge, Louisiana	#SF-2011-00948

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Fabre made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00948. Commissioner Timmons seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
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Mongoose Income Fund, LLC	San Francisco, California	#SF-2011-00949
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The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Duhon made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00949. Commissioner Bent seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
BON PRIX AUTO SALES, LLC	Metairie, Louisiana	#SF-2011-00950

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Bent made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00950. Commissioner Duhon seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Security National Automotive Acceptance Company LLC	Mason, Ohio	#SF-2011-00952

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hargroder made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00952. Commissioner Ryan seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Western Funding Incorporated	Las Vegas, Nevada	#SF-2011-00953

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Corley made a motion to ratify the motor vehicle sales finance license issued, #SF-2011-00953. Commissioner Hicks seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
AllRide Auto, LLC	Lafayette, Louisiana	#SF-2012-00173

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Guidry made a motion to ratify the motor vehicle sales finance license issued, #SF-2012-00173. Commissioner Hargroder seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Santander Consumer USA Inc.	Centennial, Colorado	#SF-2012-00324

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Timmons made a motion to ratify the motor vehicle sales finance license issued, #SF-2012-00324. Commissioner Duhon seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Santander Consumer USA Inc.	Lewisville, Texas	#SF-2012-00325

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Hicks made a motion to ratify the motor vehicle sales finance license issued, #SF-2012-00325. Commissioner Ryan seconded this motion and it was unanimously approved.

<u><i>SALES FINANCE COMPANY</i></u>	<u><i>CITY</i></u>	<u><i>LIC. #</i></u>
Santander Consumer USA Inc.	Fort Mills, South Carolina	#SF-2012-00326

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Corley made a motion to ratify the motor vehicle sales finance license issued,

#SF-2012-00326. Commissioner Bent seconded this motion and it was unanimously approved.

<u>SALES FINANCE COMPANY</u>	<u>CITY</u>	<u>LIC. #</u>
NOLA AUTOS LLC	Gretna, Louisiana	#SF-2012-00413

The Executive Director reported the application and supporting documentation were in order for this motor vehicle sales finance applicant. Commissioner Bent made a motion to ratify the motor vehicle sales finance license issued, #SF-2012-00413. Commissioner Timmons seconded this motion and it was unanimously approved.

The Chairman called for a review of the license issued. Commissioner Corley made a motion to ratify the licenses issued: motor vehicle sales finance: #SF-2010-00944, #SF-2011-00919 through #SF-2011-00956, and #SF-2012-00148 through #SF-2012-00507; GAP Administrator, #GA-2012-00100. Commissioner Bent seconded this motion and it was unanimously approved.

The Executive Director reported on routine matters being handled by the staff and not requiring action by the Commission at this time.

There being no further business, Commissioner Duhon made a motion to adjourn the meeting at 12:00 p.m. Commissioner Hicks seconded this motion and it was unanimously approved.

Chairman

Executive Director