

1 ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS

2 In the Matter of the Unlicensed Activity of:

No. 10F-BD145-SBD

3 **STEN CREDIT CORPORATION DBA**  
4 **EASYDRIVE CARS AND CREDIT**  
5 **CORPORATION**

**CONSENT ORDER**

6 7607 E. McDowell Rd., Suite 107  
7 Scottsdale, AZ 85257

8 Respondent.

9 On April 22, 2010, the Arizona Department of Financial Institutions ("Department") issued  
10 an Order to Cease and Desist; Notice of Opportunity For Hearing; Consent to Entry of Order,  
11 alleging that Respondent had violated Arizona law. Wishing to resolve this matter in lieu of an  
12 administrative hearing, Respondent consents to the following Findings of Fact and Conclusions of  
13 Law, and consents to the entry of the following Order.

14 FINDINGS OF FACT

15 1. Respondent Sten Credit Corporation dba Easydrive Cars and Credit Corporation  
16 ("ECCC") is a Utah corporation that is not and was not at any time material herein authorized to  
17 transact business in Arizona as a motor vehicle dealer within the meaning of A.R.S. §§ 44-281,  
18 *et seq.* The nature of ECCC's business is that of a motor vehicle dealer within the meaning of  
19 A.R.S. § 44-281(3).

20 2. Kenneth W. Brimmer ("Mr. Brimmer") is the CEO of ECCC.

21 3. ECCC is not exempt from licensure as a motor vehicle dealer within the meaning of  
22 A.R.S. § 44-282(G).

23 4. On June 9, 2009, the Department received a complaint filed against ECCC. The  
24 complainant stated that they had purchased a vehicle from ECCC that had been in an accident prior  
25 to purchase, and they were not advised of the accident prior to purchasing.

26 5. On September 8, 2009, the Department sent a letter to ECCC at its primary Scottsdale,  
Arizona address indicating that the Department has reason to believe that ECCC violated or is

1 violating applicable Arizona laws and/or rules and is engaging or has engaged in the operation of a  
2 motor vehicle dealer without the benefit of a license pursuant to A.R.S. § 44-282(A). The  
3 Department gave ECCC an opportunity to respond by September 22, 2009.

4 6. On September 21, 2009 the Department received a facsimile from Mr. Brimmer stating:

5 a. "Our Dealer Operations are licensed with the Motor Vehicle Division as a retailer;  
6 our finance company, STEN Credit Corporation, is licensed with the Arizona  
7 Department of Financial Institutions and all of the financing at our retail sales  
8 locations is completed by STEN Credit Corporation. We were unaware of the  
9 separate license with Department of Finance [sic] required for the Dealer Operations,  
10 my review, including a review by Arizona legal counsel indicated to me we had at all  
11 times had all licenses which were required. I now understand this was not the case. "

12 b. "In response to your letter, I am in the process of submitting the required  
13 application..."

14 c. "We have sold and financed approximately 1400 vehicles under the arrangement  
15 with Sten Credit Corporation. There are approximately 1000 retail installment  
16 contracts in place with purchasers...."

17 7. On September 25, 2009 the Department received a Motor Vehicle Dealer (MVD) license  
18 application from ECCC. The locations included in the application were:

19 a. 3148 East Bell Road, Phoenix, AZ 85032;

20 b. 13812 West Glendale Avenue, Glendale, AZ 85307; and

21 c. 4888 East 22nd Street, Tucson, AZ 85711.

22 8. On October 5, 2009 the Department received a facsimile from Mr. Brimmer stating:

23 "in November, 2007 we retained the Engelman Berger law firm based in Phoenix to conduct a  
24 compliance audit as part of a financing we were completing. . . the opinion letter indicated that we  
25 were in compliance with 'applicable Arizona usury and sales finance company laws.'"

26 9. On November 10, 2009 the Department received a list of vehicles ECCC sold on a non-

1 cash basis totaling 991 vehicles financed for \$9,161,007 between 2006 and September 30, 2009.

2 10. These Findings of Fact shall also serve as Conclusions of Law.

3 **CONCLUSIONS OF LAW**

4 1. Pursuant to Title 6 and Title 44, Chapter 2.1, of the Arizona Revised Statutes, the  
5 Superintendent is charged with the duty to regulate all persons engaged in the motor vehicle dealer  
6 business and with the enforcement of statutes, rules and regulations relating motor vehicle dealers.

7 2. The conduct of ECCC as alleged above, constitutes engaging in motor vehicle dealer  
8 activity in the State of Arizona without having first applied for and obtained a motor vehicle dealer  
9 license under Chapter 2.1 of Title 44, in violation of A.R.S. § 44-282(A).

10 3. ECCC does not meet any of the exemptions to the licensing requirements set forth in  
11 A.R.S. § 44-282(G).

12 4. Pursuant to A.R.S. § 6-132, Respondent's violations of the aforementioned statutes are  
13 grounds for a civil penalty of not more than five thousand dollars (\$5,000.00) for each violation for  
14 each day.

15 5. The violations set forth above constitute grounds for: (1) the issuance of an order  
16 pursuant to A.R.S. § 6-137 directing Respondent to cease and desist from the violative conduct and  
17 to take the appropriate affirmative actions, within a reasonable period of time prescribed by the  
18 Superintendent, to correct the conditions resulting from the unlawful acts, practices, and  
19 transactions; (2) the imposition of a civil monetary penalty pursuant to A.R.S. § 6-132; and (3) an  
20 order or any other remedy necessary or proper for the enforcement of statutes and rules regulating  
21 motor vehicle dealers pursuant to A.R.S. §§ 6-123, 6-131 and 44-281 through 44-295.

22 **ORDER**

23 1. Sten Credit Corporation dba Easydrive Cars and Credit Corporation shall immediately  
24 stop all motor vehicle dealer activity in Arizona until such time as Sten Credit Corporation dba  
25 Easydrive Cars and Credit Corporation has obtained a motor vehicle dealer license from the  
26 Superintendent as prescribed by A.R.S. § 44-282.



1 state or subdivision thereof from instituting other proceedings as may be appropriate now or in the  
2 future.

3 6. Kenneth W. Brimmer, on behalf of Sten Credit Corporation dba Easydrive Cars and  
4 Credit Corporation, represents that he is the CEO and that, as such, has been authorized by Sten  
5 Credit Corporation dba Easydrive Cars and Credit Corporation to consent to the entry of this Order  
6 on its behalf.

7 7. Respondents waive all rights to seek judicial review or otherwise to challenge or contest  
8 the validity of this Cease and Desist Order.

9 DATED this 10th day of June, 2010.

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By: Kenneth W. Brimmer  
Kenneth W. Brimmer, CEO  
Sten Credit Corporation  
dba Easydrive Cars and Credit Corporation

Lauren Kingry  
Superintendent of Financial Institutions  
Arizona Department of Financial Institutions  
ATTN: Susan Longo  
2910 N. 44th Street, Suite 310  
Phoenix, AZ 85018

COPY of the foregoing mailed this same date to:

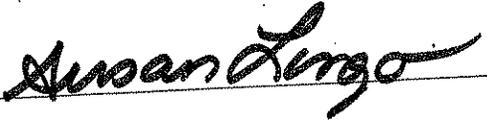
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1 AND COPY MAILED SAME DATE by  
Certified Mail, Return Receipt Requested, to:

2 Sten Credit Corporation dba  
3 Easydrive Cars and Credit Corporation  
4 c/o Kenneth W. Brimmer, CEO  
7607 E. McDowell Road, Suite 107  
5 Scottsdale, AZ 85257  
Respondent

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8 Scottsdale, AZ 85260  
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