



Submit a complaint / Complaint filed

Your complaint

Complaint Number 170526-2120505

Step 1

What product or service is your complaint about?

PRODUCT OR SERVICE

Vehicle loan or lease

TYPE

Loan

Step 2

What type of problem are you having?

ISSUE

Getting a loan or lease

TYPE OF ISSUE

Fraudulent loan

HAVE YOU ALREADY TRIED TO FIX THIS PROBLEM WITH THE COMPANY?

No

Step 3

What happened?

On July 6th, 2015, I, Tiffiany Bourque, found a 2013 BMW XI, VIN: WBAVL1C52DVR83683 on David Stanley Dodge's ("DSD") website, with a listed asking price around \$22,500. The vehicle was listed as a one-owner vehicle, as well as being "amazing" and "possibly garage kept." I had purchased my last car from DSD and thought I could trust them completely. I called DSD to inquire about the vehicle and spoke with Brittney. After several phone conversations, I and my friend, Fredrick Rick Karol (Rick) drove from Lawton, OK, where we both reside, to DSD in Midwest City, OK; (it's about 100 miles). We drove Rick's 2002 Ford Explorer (hereafter "Explorer") so that it could be used as a trade-in vehicle and I agreed to allow him to have my Malibu in exchange. Rick agreed to co-sign for my loan if I needed it. Brittney drove the BMW around for us to look at and told us it had never been wrecked. We spoke with DSD about obtaining financing for the vehicle, and consented to DSD running a credit check on me. DSD falsely told me that since I'd had a bankruptcy a year ago, that I would not qualify for financing on my own, would require a co-signor, a down payment (to show good faith) and would also have to pay "bank fees" of approximately \$8,000.00 in order to obtain a loan. DSD never told me what credit bureau they looked at or why I had been declined. I didn't know what the bank fees were for but assumed DSD was telling me the truth. Following the test drive of the BMW, DSD asked me to execute a document stating that she agreed to purchase the BMW if DSD could keep my monthly payment below \$550.00 and if DSD would offer her a trade-in value of \$500.00 for the Explorer. I agreed to these terms. After six (6) hours at the dealership, DSD took us both back to the finance office to finalize the purchase of the BMW. After signing all of the documents, Rick & I drove the BMW home to Lawton. I later looked at the documents that DSD had placed in an envelope and noticed that the Purchase Agreement listed the cash price of the vehicle as \$32,530.00. (Exhibit ____, Purchase Agreement) instead of its advertised \$22,500.00. DSD also added thousands of dollars of extras to the purchase price for Add-ons which I didn't agree to buy. I was so upset but didn't know what to do; every time I drove the BMW it reminded me of DSD's fraud. In April of 2016 I decided to go to my local Lawton dealership and see if they could trade me out of it. They inspected the BMW, pulled a CarFax and showed me the BMW was a total loss vehicle, wrecked in Florida. The air bags didn't even work and I'd been driving my 4 year-old in that BMW. I learned later that Ally was persuaded to accept assignment in spite of these facts, which it had to have known. I have filed a lawsuit against DSD and its parent group, David Stanley Auto Group (DSAG) and Ally; seeking a class action for all consumers treated in this way. My attorneys have informed me that Ally regularly accepts loans on cars with non-existent features and/or values from this dealership group; a practice known as "Power Booking", which Ally itself discovered in 2014. Ally and DSAG agreed to keep quiet about these other 110 loans created and assigned by DSAG; instead demanding continued payments from consumers on loans Ally knows are fraudulent. Ally and DSAG need to be investigated and stopped and made to pay for their fraudulent banking practices.

I want the CFPB to publish this description on consumerfinance.gov so that others can learn from my experience.

The CFPB will take steps to remove my personal information from this description but someone may still be able to identify me. [Learn how it works.](#) I consent to publishing this description after the CFPB has taken these steps.

What would be a fair resolution to this issue?

Make Ally and DSAG/DSD pay a penalty to every consumer found, give back all the payments to those consumer victims found in the CFPB's investigation, and force Ally to agree to an Order making them stop this practice and requiring every vehicle loan assigned have its features be confirmed by Ally with the consumer. If not confirmed the lender must reject the loan and force the dealership to bring the consumer back in to sign accurate loan documents.

2 attachments

9.22.15 Executed Affidavit of Brian Becker.pdf (211.7 KB)

4.23.16 - CarFax - 2013 BMW X1.pdf (1.4 MB)

Step 4

What company is this complaint about?

COMPANY INFORMATION

ALLY BANK

Account number

611921458590

Step 5

What people are involved?

YOUR CONTACT INFORMATION

Tiffany Bourque

tiffany.bourque@gmail.com

580-917-6978

2414 NW Atlanta Ave.

Lawton, Oklahoma 73505

United States

ADDITIONAL PERSON'S INFORMATION

Frederick Karol

Co-signer

580-713-3742

2414 NW Atlanta Ave

Lawton, Oklahoma 73505

United States

ALLOW THIS PERSON ACCESS TO THE COMPLAINT?

No

ADDITIONAL POINT OF CONTACT

Kathi Rawls

Attorney

Rawls Gahlot, PLLC

kathi@rawlsgahlot.com

405-912-3225

2404 S. Broadway

Moore, Oklahoma 73160

United States

ALLOW THIS PERSON ACCESS TO THE COMPLAINT?

Yes

About us

The CFPB is an independent federal agency built to protect consumers. We write and enforce rules that keep banks and other financial companies operating fairly. We also educate and empower consumers, helping them make more informed choices to achieve their financial goals.

HAVE A QUESTION? ¿PREGUNTAS?

(855) 411-2372

[Privacy Act Statement](#)

OMB #3170-0011

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