





# BUSINESS

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## THE MARKETS

DOW	17,990.32		+13.08
S&P 500	2,091.70		+3.91
NASDAQ	4,888.28		-7.51
NYSE	10,522.57		+56.92

## DUKE CITY'S EATS

Food blogger finds plenty of delicious food for the Cooking Channel's 'Cheap Eats.'

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# Suit claims dealership sold car to homeless woman

## Employees accused of false paperwork

BY SCOTT SANDLIN  
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A Gallup car dealership sold a homeless woman with schizophrenia living on \$733 a month in Social Security disability payments a brand-new Nissan Versa at \$2,000 over the list price before repossessing it, according to a new civil lawsuit.

According to allegations in

the complaint, employees lied on the credit application and other paperwork to sell the car and a “nearly worthless” service contract for \$2,275 that duplicated the manufacturer’s warranty, even though the buyer, Mary Tsosie, had no driver’s license.

The complaint, filed in state District Court in Gallup, alleges fraud, civil conspiracy, violation of the Unfair Practices Act and breach of fiduciary duty, among other wrongs, and seeks compensatory and punitive damages for what it

says were “rapacious” actions.

Attorney Richard Feferman represents the 62-year-old Tsosie, now a temporary resident at a homeless shelter, against Corley Nissan of Gallup, two of its named employees, Santander Consumer USA and Platte Insurance. The lawsuit was brought through a “next friend,” and Feferman said he is working on getting a guardian ad litem to help Tsosie.

Corley Nissan did not return calls seeking comment. Santander did not respond to

a request for a response.

Because Tsosie “could not possibly qualify for credit,” the lawsuit says, Corley prepared and submitted a credit application with false information to prospective lenders — up to a salesman obtaining an insurance policy showing him as the driver.

Tsosie could not qualify for it.

Tsosie was given insurance cards when she drove off with the vehicle. The contract required her to make six years of installment payments

of about \$465 a month — more than 60 percent of her monthly income.

The lawsuit says Corley made a tidy profit selling the contract to Santander Consumer USA, getting full payment from Santander for the 2016 Nissan Versa, and bore no risk that Tsosie couldn’t pay.

Santander, the lawsuit claims, “is aware of this misconduct by its participating dealers and it has encouraged this misconduct.” The company packaged Tsosie’s loan with others in a trust that

were used as collateral sold to unsuspecting investors — thus transferring the risk of nonpayment.

The lawsuit says the conduct is part of “a pattern of deception and abuse, including falsification of credit applications, forgery of signatures and other fraudulent conduct.

It asks the court to bar Corley from falsifying income and creditworthiness of customers and bars Santander from encouraging Corley and other dealers in the practice.