

Edgar Filing: SMART CHOICE AUTOMOTIVE GROUP INC - Form NT 10-Q

SMART CHOICE AUTOMOTIVE GROUP INC
Form NT 10-Q
December 18, 2001

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 12b-25

NOTIFICATION OF LATE FILING

Commission File Number 1-14082

(Check One):

- | | | | | | |
|--------------------------|---------------------------|-------------------------------------|---------------------------|--------------------------|------------|
| <input type="checkbox"/> | Form 10-K and Form 10-KSB | <input type="checkbox"/> | Form 11-K | | |
| <input type="checkbox"/> | Form 20-F | <input checked="" type="checkbox"/> | Form 10-Q and Form 10-QSB | <input type="checkbox"/> | Form N-SAR |

For Period Ended: 10-31-01

- Transition Report on Form 10-K and Form 10-KSB
- Transition Report on Form 20-F
- Transition Report on Form 11-K
- Transition Report on Form 10-Q and Form 10-QSB
- Transition Report on Form N-SAR

For the Transition Period Ended: _____

Read Attached Instruction Sheet Before Preparing Form. Please Print or Type.

Nothing in this form shall be construed to imply that the Commission has verified any information contained herein.

If the notification relates to a portion of the filing checked above, identify the item(s) to which the notification relates:

PART I
REGISTRANT INFORMATION

Full name of registrant Smart Choice Automotive Group, Inc.

Former name if applicable _____

Address of principal executive office (Street and number) 1555

Semoran Blvd.

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City, state and zip code Winter Park, Florida 32792

PART II
RULES 12b-25(b) AND (c)

If the subject report could not be filed without unreasonable effort or expense and the registrant seeks relief pursuant to Rule 12b-25(b), the following should be completed. (Check box if appropriate.)

- (a) The reasons described in reasonable detail in Part III of this form could not be eliminated without unreasonable effort or expense;
(b) The subject annual report, semi-annual report, transition report on Form 10-K, 10-KSB, Form 20-F, 11-K, Form N-SAR, or portion thereof will be filed on or before the 15th calendar day following the prescribed due date; or the subject quarterly report or transition report on Form 10-Q, 10-QSB, or portion thereof will be filed on or before the fifth calendar day following the prescribed due date; and
(c) The accountant's statement or other exhibit required by Rule 12b-25(c) has been attached if applicable.

PART III
NARRATIVE

State below in reasonable detail the reasons why Forms 10-K, 10-KSB, 11-K, 20-F, 10-Q, 10-QSB, N-SAR or the transition report or portion thereof, could not be filed within the prescribed time period. (Attach extra sheets if needed.)

In November 2001, pursuant to an agreement, the Company's lender foreclosed upon certain collateral of the Company's Florida based subsidiaries, and the company granted its lender an option to purchase its PAACO Subsidiary. Additional time is needed to properly account for and disclose the recent events.

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PART IV
OTHER INFORMATION

(1) Name and telephone number of person to contact in regard to this notification.

James Edward Ernst 407 671-1200
(Name) (Area Code) (Telephone Number)

(2) Have all other periodic reports required under Section 13 or 15(d) of the Securities Exchange Act of 1934 or Section 30 of the Investment Company Act of 1940 during the preceding 12 months (or for such shorter) period that the registrant was required to file such reports) been filed? If answer is no, identify report(s).

[X] Yes [] No

(3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal year will be reflected by the earnings statements to be included in the subject report or portion thereof?

[X] Yes [] No

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Smart Choice incurred a net loss of 33.1 million for the three month period ended October 31, 2001 as compared to net income of .8 million for the same period in the prior fiscal year. The decrease is principally the result of a 30 million dollar write down of certain assets that were deemed impaired in connection with the foreclosure by Smart Choice's lender of certain Florida based assets and a decision to wind-down Smart Choice's Florida based operations.

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state the reasons why a reasonable estimate of the results cannot be made.

Smart Choice Automotive Group, Inc.

(Name of Registrant as Specified in Charter)

Has caused this notification to be signed on its behalf by the undersigned thereunto duly authorized.

Date: 12-18-01 By: /s/ James Edward Ernst

Instruction: The form may be signed by an executive officer of the registrant or by any other duly authorized representative. The name and title of the person signing the form shall be typed or printed beneath the signature. If the statement is signed on behalf of the registrant by an authorized representative (other than an executive officer), evidence of the representative's authority to sign on behalf of the registrant shall be filed with the form.

ATTENTION

Intentional misstatements or omissions of fact constitute federal criminal violations (see 18 U.S.C. 1001).

GENERAL INSTRUCTIONS

1. This form is required by Rule 12b-25 of the General Rules and Regulations under the Securities Exchange Act of 1934.
2. One signed original and four conformed copies of this form and amendments thereto must be completed and filed with the Securities and Exchange Commission, Washington, D.C. 20549, in accordance with Rule 0-3 of the General Rules and Regulations under the Act. The information contained in or filed with the form will be made a matter of public record in the Commission files.
3. A manually signed copy of the form and amendments thereto shall be filed with each national securities exchange on which any class of securities of the registrant is registered.
4. Amendments to the notifications must also be filed on form 12b-25 but need not restate information that has been correctly furnished. The form shall be clearly identified as an amended notification.
5. Electronic Filers. This form shall not be used by electronic filers unable to timely file a report solely due to electronic difficulties. Filers unable to submit a report within the time period prescribed due to difficulties in electronic filing should comply with either Rule 201 or Rule 202 of

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Regulation S-T or apply for an adjustment in filing date pursuant to Rule 13(b) of Regulation S-T.

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