

OCCC CASE NO. L22-00035

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1717	§	OFFICE OF CONSUMER
EIMOR INC.	§	
d/b/a FIRST FIDELITY	§	CREDIT COMMISSIONER
1907 GOLIAD RD.	§	
SAN ANTONIO, TEXAS 78223	§	STATE OF TEXAS
	§	

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against EIMOR Inc. d/b/a First Fidelity (“First Fidelity”).¹

Statement of Facts and Law

First Fidelity is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. First Fidelity operates under master file number 1717 at one licensed location, under license number 4374. First Fidelity’s compliance officer is Patricia Dufner, and its designated contact address is 1907 Goliad Rd., San Antonio, Texas, 78223.

A regulated lender must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² A regulated lender must comply with all instructions from the OCCC relating to submitting the report.³ The report is due by May 1 of each year for the prior calendar year’s loan activity.⁴

On September 13, 2021, the OCCC issued an Order to File Timely and Accurate Annual Reports against First Fidelity for failure to file its 2020 annual report by the deadline of May 1, 2021. The Order required First Fidelity to file the 2020 annual report within 30 days from the date of the Order, and to timely file complete and accurate future reports. First Fidelity did not request a hearing, and the Order became final and enforceable. First Fidelity did not file its 2020 annual report within 30 days from the date of the Order. As of the date of this Order, First Fidelity has not filed its 2020 annual report.

¹ Tex. Fin. Code § 14.208(a), (c).

² Tex. Fin. Code § 342.559.

³ 7 Tex. Admin. Code § 83.835; https://occc.texas.gov/industry/regulated-lenders/annual_reports.

⁴ Tex. Fin. Code § 342.559; 7 Tex. Admin. Code § 83.835.

First Fidelity did not file its 2021 annual report with the OCCC on or before the deadline of May 1, 2022. As of the date of this Order, First Fidelity has not filed its 2021 annual report.

The Commissioner may issue an injunction ordering a regulated lender to file one or more complete, accurate, and timely annual reports if the Commissioner has reasonable cause to believe that the regulated lender is violating Chapter 342 of the Texas Finance Code.⁵ If a regulated lender violates an injunction, then the Commissioner may impose an administrative penalty of up to \$1,000 for each day of violation.⁶

By failing to timely file its 2020 and 2021 annual reports, First Fidelity has violated Chapter 342 of the Texas Finance Code and the OCCC's Order to File Timely and Accurate Annual Reports.

Order

IT IS ORDERED that:

1. **No later than 30 days after the date of this Order**, First Fidelity must pay an administrative penalty in the amount of **\$1,500.00** for its violations of the OCCC's Order to File Timely and Accurate Annual Reports (calculated as \$1,000.00 for failing to file its 2020 annual report within 30 days after the Order, plus \$500.00 for failing to timely file its 2021 annual report).
2. **No later than 30 days after the date of this Order**, First Fidelity must file its 2020 and 2021 annual reports.

Regulated lender annual reports must be submitted through the OCCC's Application Licensing Examination and Compliance System (ALECS): alecs.occ.texas.gov. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occ.texas.gov.

⁵ Tex. Fin. Code § 14.208.

⁶ Tex. Fin. Code § 14.208(c).

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁷ To request a hearing, you must send a written hearing request to the OCCC no later than 30 days of the date of this Order.⁸ You must send your request to Audrey Spalding, Assistant General Counsel, by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or by email to audrey.spalding@occc.texas.gov.

If you request a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.⁹ If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.¹⁰

All communications with the OCCC concerning this matter must be through Audrey Spalding, Assistant General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7659, or by email to audrey.spalding@occc.texas.gov.

Signed this 10th day of June, 2022.

/s/ Leslie Pettijohn
Leslie L. Pettijohn
Consumer Credit Commissioner
State of Texas

⁷ Tex. Fin. Code § 14.208(b).

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(b).

¹⁰ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on June 10, 2022 a true and correct copy of this Order Imposing Administrative Penalty has been sent to EIMOR Inc. d/b/a First Fidelity by the following:

EIMOR Inc. d/b/a First Fidelity
Attn: Patricia Dufner,
Compliance Officer
1907 Goliad Rd.
San Antonio, TX 78223
patteduf@aol.com

- electronic mail
- regular mail
- certified mail, return receipt requested
9214 8901 9403 8300 0079 2840 41

EIMOR Inc. d/b/a First Fidelity
Attn: Registered Agent
P.O. Box 23249, 1907 Goliad Rd.
San Antonio, TX 78223
patteduf@aol.com

- electronic mail
- regular mail
- certified mail, return receipt requested
9214 8901 9403 8300 0079 2852 39

/s/Audrey Spalding _____
Audrey Spalding
Assistant General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24111055
2601 North Lamar Blvd.
Austin, Texas 78705
(512) 936-7659 (phone)
audrey.spalding@occc.texas.gov