

OCCC CASE NO. L23-00052

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1700059108	§	OFFICE OF CONSUMER
FAMILY BUDGET SERVICES INC.	§	
4840 N. HIATUS RD.	§	CREDIT COMMISSIONER
FORT LAUDERDALE, FLORIDA 33351	§	
	§	STATE OF TEXAS

ORDER TO FILE TIMELY AND ACCURATE ANNUAL REPORTS AND REQUIRED DOCUMENTS

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Annual Reports and Required Documents against Family Budget Services Inc. d/b/a (“Family Budget Services”).¹

Statement of Facts and Law

Family Budget Services is a debt management services provider registered with the OCCC under Chapter 394 of the Texas Finance Code. Family Budget Services operates under master file number 1700059108 at one location, under registration number 214747. Family Budget Services’ compliance officer is Alan Silverberg, and its designated contact address is 4840 N. Hiatus Rd. Fort Lauderdale, Florida 33351.

A debt management services provider must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² Additionally, a debt management services provider must annually file the following required documents with the Commissioner:

- (a) a blank copy of the provider’s written debt management services agreement;³
- (b) blank copies of credit counseling information provided to consumers;⁴
- (c) a surety bond or evidence that the provider maintains an insurance policy.⁵

¹ Tex. Fin. Code § 14.208(a).
² Tex. Fin. Code § 394.205(b); 7 Tex. Admin. Code § 88.202(b).
³ Tex. Fin. Code § 394.205(d); 7 Tex. Admin. Code § 88.202(c)(1).
⁴ Tex. Fin. Code § 394.205(d); 7 Tex. Admin. Code § 88.202(c)(2).
⁵ Tex. Fin. Code § 394.206; 7 Tex. Admin. Code § 88.202(c)(3).

A provider must comply with all instructions from the Commissioner relating to submitting the report.⁶ The annual report and required documents are due by January 31 of each year.⁷ In 2023, the OCCC extended the time for filing the 2022 annual report and required documents to February 15, 2023.

Family Budget Services did not file its 2022 annual report with the Commissioner on or before February 15, 2023. Further, Family Budget Services did not file the required documents described in items (a) through (c) on or before February 15, 2023.

The Commissioner may issue an injunction ordering a debt management services provider to file one or more complete, accurate, and timely annual reports and required documents if the Commissioner has reasonable cause to believe that the debt management services provider is violating Chapter 394 of the Texas Finance Code.⁸

The Commissioner has reasonable cause to believe that Family Budget Services is violating Chapter 394 of the Texas Finance Code, and therefore issues this Order, because Family Budget Services failed to timely file its 2022 annual report and required documents.

⁶ 7 Tex. Admin. Code § 88.202(a).

⁷ 7 Tex. Admin. Code § 88.201(c).

⁸ Tex. Fin. Code § 14.208(a).

Order

IT IS ORDERED that Family Budget Services Inc.:

1. comply with, and cease and desist from violating, the reporting and filing requirements set forth in Sections 394.205 and 394.206 of the Texas Finance Code and Title 7, Sections 88.201 and 88.202 of the Texas Administrative Code;
2. file its 2022 annual report and all required documents within 30 days of service of this Order, if it has not already done so; and
3. timely file complete and accurate future annual reports and required documents.

Annual reports for debt management services providers must be submitted through the OCCC's Application Licensing Examination and Compliance System (ALECS): alecs.occc.texas.gov. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occc.texas.gov.

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 for each day.⁹ Multiple violations may also result in the suspension or revocation of your registration.¹⁰

⁹ Tex. Fin. Code § 14.208(c).

¹⁰ Tex. Fin. Code § 394.204(k).

Right to Request Hearing

You have the right to request a hearing regarding this Order.¹¹ To request a hearing, you must send a written hearing request to the OCCC no later than 30 days after the date of this Order. 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.¹² If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.¹³

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 at audrey.spalding@occc.texas.gov.

Signed this 23rd day of May, 2023.

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

¹¹ Tex. Fin. Code § 14.208(b).

¹² Tex. Fin. Code § 14.208(b).

¹³ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on May 23, 2023, a true and correct copy of this Order to File Timely and Accurate Annual Reports and Required Documents has been sent to Family Budget Services Inc. by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0012 2231 51

Family Budget Services Inc.

Attn: Alan Silverberg, Compliance Officer

4840 N. Hiatus Rd.

Fort Lauderdale, FL 33351

CMRRR# 9214 8901 9403 8300 0012 2231 68

Family Budget Services Inc.

Attn: Bizfilings, Registered Agent

701 Brazos Ste, Ste. 720

Austin, TX 78701

/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