

OCCC CASE NO. L23-00057

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1600054892	§	OFFICE OF CONSUMER
TAX EASE FUNDING 2016-1 LLC	§	
14800 LANDMARK BLVD., SUITE 400	§	CREDIT COMMISSIONER
DALLAS, TEXAS 75254	§	
	§	STATE OF TEXAS

ORDER TO FILE TIMELY AND ACCURATE ANNUAL REPORTS

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Annual Reports against Tax Ease Funding 2016-1 LLC (“Tax Ease”).¹

Statement of Facts and Law

Tax Ease is a property tax lender licensed by the OCCC under Chapter 351 of the Texas Finance Code. Tax Ease operates under master file number 1600054892 at one licensed location, under license number 154890. Tax Ease’s compliance officer is Ken Frisbie, and its designated contact address is 14800 Landmark Blvd., Suite 400, Dallas, Texas 75254.

A property tax lender must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² A property tax lender must comply with all instructions from the OCCC relating to submitting the report.³ The report is due by March 31 of each year for the prior calendar year’s loan activity.⁴

Tax Ease did not file its 2022 annual report by March 31, 2023, for one licensed location, under license number 154890.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code § 351.164; 7 Tex. Admin. Code § 89.404.

³ 7 Tex. Admin. Code § 89.404.

⁴ 7 Tex. Admin. Code § 89.404; <https://occc.texas.gov/industry/property-tax-lenders/property-tax-lenders-annual-reports>

The Commissioner may issue an injunction ordering a property tax lender to file one or more complete, accurate, and timely annual reports if the Commissioner has reasonable cause to believe that the property tax lender is violating Chapter 351 of the Texas Finance Code.⁵

The Commissioner has reasonable cause to believe that Tax Ease is violating Chapter 351 of the Texas Finance Code, and therefore issues this Order, because Tax Ease failed to timely file its 2022 annual report.

Order

IT IS ORDERED that Tax Ease Funding 2016-1 LLC:

1. comply with, and cease and desist from violating, the reporting requirements set forth in Section 351.164 of the Texas Finance Code and Title 7, Section 89.404 of the Texas Administrative Code;
2. file its 2022 annual report within 30 days of the date of this Order, if it has not already done so; and
3. timely file complete and accurate future annual reports.

Property tax lender annual reports 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.⁶ Multiple violations may also result in the suspension or revocation of your license.⁷

⁵ Tex. Fin. Code § 14.208.

⁶ Tex. Fin. Code § 14.208(c).

⁷ Tex. Fin. Code § 351.156.

Right to Request Hearing

You have the right to request a hearing regarding this Order. 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.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 at audrey.spalding@occc.texas.gov.

Signed this 12th day of June, 2023.

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

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 12, 2023, a true and correct copy of this Order to File Timely and Accurate Annual Reports has been sent to Tax Ease Funding 2016-1 LLC by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0018 2676 78
Tax Ease Funding 2016-1 LLC
Attn: Ken Frisbie, Compliance Officer
14800 Landmark Blvd., Suite 400
Dallas, TX 75254

CMRRR# 9214 8901 9403 8300 0018 2676 85
Tax Ease Funding 2016-1 LLC
Attn: CT Corporation System, Registered Agent
1999 Bryan St., Suite 900
Dallas, TX 75201

/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