

OCCC CASE NO. L23-00115

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 17360	§	OFFICE OF CONSUMER
CHUCK SPAUGH FINANCE	§	
COMPANY INC.	§	CREDIT COMMISSIONER
514 50TH	§	
LUBBOCK, TEXAS 79404	§	STATE OF TEXAS

AGREED ORDER

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Chuck Spaug Finance Company Inc. (“Chuck Spaug Finance Company”), based on the violations of law described below.¹

Statement of Facts and Law

Chuck Spaug Finance Company is a regulated lender licensed by the OCCC under Chapter 342. Chuck Spaug Finance Company operates under master file number 17360 at one licensed location, under license number 64351. Chuck Spaug Finance Company’s compliance officer is Glenn Smith, and its designated contact address is 514 50th, Lubbock, Texas 79404.

Under Chapter 342 and its implementing rules, a regulated lender must file annual reports with the OCCC.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

Chuck Spaug Finance Company did not file its 2015 annual report by the deadline of May 1, 2016. On May 25, 2016, the OCCC issued an Order to File Timely and Accurate Annual Reports against Chuck Spaug Finance Company for failing to timely file its 2015 annual report. The order became final and enforceable. The order required Chuck Spaug Finance Company to file its 2015

¹ Tex. Fin. Code §§ 14.208, 342.156.

² Tex. Fin. Code § 342.559; 7 Tex. Admin. Code § 83.835.

³ 7 Tex. Admin. Code § 83.835.

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

annual report, and to timely file complete and accurate annual future reports. Chuck Spaugh Finance Company ultimately filed its 2015 annual report.

Chuck Spaugh Finance Company did not file its 2016 annual report by the deadline of May 1, 2017. On May 19, 2017, the OCCC issued an Order Assessing Administrative Penalty for Violation of Injunctive Order against Chuck Spaugh Finance Company for failing to timely file its 2016 annual report. The order required Chuck Spaugh Finance Company to pay a \$500 administrative penalty and file its 2016 annual report. Chuck Spaugh Finance Company ultimately paid the \$500 administrative penalty and filed its 2016 annual report.

Chuck Spaugh Finance Company did not file its 2019 annual report by the extended deadline of June 1, 2020. On October 12, 2020, the OCCC issued an Order Imposing Administrative Penalty against Chuck Spaugh Finance Company for failing to timely file its 2019 annual report. The order required Chuck Spaugh Finance Company to pay a \$1,000 administrative penalty and file its 2019 annual report. Chuck Spaugh Finance Company ultimately paid the \$1,000 administrative penalty and filed its 2019 annual report.

Chuck Spaugh Finance Company did not file its 2022 annual report with the OCCC by the deadline of May 1, 2023. On September 22, 2023, the OCCC issued an Order of Revocation against Chuck Spaugh Finance Company due to its repeated failure to file timely annual reports.

By failing to timely file its 2015, 2016, 2019, and 2022 annual reports, Chuck Spaugh Finance Company violated Chapter 342 of the Texas Finance Code and its implementing rules. By failing to timely file its 2016, 2019, and 2022 annual reports, Chuck Spaugh Finance Company violated the OCCC's Order to File Timely and Accurate Annual Reports issued on May 25, 2016. These violations were committed without exercise of due care.

Order & Agreement

By signing below, Chuck Spaugh Finance Company acknowledges these violations, waives all rights to any hearing or appeal, agrees to pay the administrative penalty identified below, and otherwise agrees to comply with this Order and Texas law.

IT IS ORDERED that:

1. **No later than October 27, 2023**, Chuck Spaugh Finance Company must pay an administrative penalty in the amount of \$2,000.00 to the OCCC (calculated as \$2,000.00 for Chuck Spaugh Finance Company's one licensed location).
2. **No later than October 27, 2023**, Chuck Spaugh Finance Company must file its 2022 annual report.
3. Chuck Spaugh Finance Company must comply with, and cease and desist from violating, the reporting requirements set forth in Section 342.559 of the Texas Finance Code and Title 7, Section 83.835 of the Texas Administrative Code.
4. Chuck Spaugh Finance Company must ensure that all future annual reports are complete, accurate, and filed in a timely manner.
5. The Order of Revocation issued by the OCCC against Chuck Spaugh Finance Company on September 22, 2023, is withdrawn and replaced by this Agreed Order.

Violation of Order

If Chuck Spaugh Finance Company violates this Order, this may result in one or more of the following actions by the OCCC: (1) an administrative penalty of up to \$1,000 for each day of violation, or (2) suspension or revocation of Chuck Spaugh Finance Company's regulated lender license.⁵

Signed this 23rd day of October, 2023.

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

⁵ Tex. Fin. Code §§ 14.208(c), 342.156.

AGREED:

/s/ Chuck Spaugh

Chuck Spaugh

President

Chuck Spaugh Finance Company Inc.

(signed electronically with permission)

CERTIFICATE OF SERVICE

I certify that on October 23, 2023, a true and correct copy of this Agreed Order has been sent to Chuck Spaugh Finance Company Inc. by the following:

Chuck Spaugh Finance Company Inc.	<input checked="" type="checkbox"/> email
Attn: Glenn Smith, Compliance Officer	<input type="checkbox"/> eFileTexas.gov electronic service
514 50th	<input type="checkbox"/> regular mail
Lubbock, TX 79404	<input type="checkbox"/> certified mail, return receipt requested
cspaugh@hotmail.com	

/s/ Matthew Nance

Matthew J. Nance

General Counsel

Office of Consumer Credit Commissioner

State Bar No. 24074794

2601 N. Lamar Blvd.

Austin, TX 78705

512-936-7660 (phone)

matthew.nance@occc.texas.gov