

OCCC CASE NO. L24-00111

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1700059108	§	OFFICE OF CONSUMER
FAMILY BUDGET SERVICES INC.	§	
3301 N. UNIVERSITY DR., STE. 100	§	CREDIT COMMISSIONER
POMPANO BEACH, FLORIDA 33065	§	
	§	STATE OF TEXAS

ORDER OF REVOCATION

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order of Revocation against Family Budget Services Inc. (“Family Budget Services”).<sup>1</sup>

**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 3301 N. University Dr., Ste. 100, Pompano Beach, Florida 33065.

Under Chapter 394 of the Texas Finance Code, a debt management services provider must file annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> Additionally, a debt management services provider must annually file the following required documents with the Commissioner:

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

<sup>1</sup> Tex. Fin. Code §§ 14.208(a), 394.204(k).  
<sup>2</sup> Tex. Fin. Code § 394.205(b); 7 Tex. Admin. Code § 88.202(b).  
<sup>3</sup> Tex. Fin. Code § 394.205(d); 7 Tex. Admin. Code § 88.202(c)(1).  
<sup>4</sup> Tex. Fin. Code § 394.205(d); 7 Tex. Admin. Code § 88.202(c)(2).  
<sup>5</sup> 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.<sup>6</sup> The annual report and required documents are due by January 31 of each year.<sup>7</sup>

Family Budget Services did not file its 2022 annual report and required documents by the extended deadline of February 15, 2023. On May 23, 2023, the OCCC issued an Order to File Timely and Accurate Annual Reports and Required Documents against Family Budget Services for failing to timely file its 2022 annual report and required documents. The order required Family Budget Services to file its 2022 annual report and required documents, and to timely file complete and accurate annual future reports and required documents. Family Budget Services ultimately filed its 2022 annual report and required documents.

Family Budget Services did not file its 2023 annual report and required documents by the deadline of January 31, 2024. On May 24, 2024, the OCCC issued an Order Imposing Administrative Penalty against Family Budget Services for failing to timely file its 2023 annual report and required documents. The order required Family Budget Services to file its 2023 annual report and required documents, and to pay a \$500 administrative penalty.

As of the date of this Order, Family Budget Services has not filed its 2023 annual report and required documents, and has not paid the \$500 administrative penalty described in the OCCC's May 24, 2024 Order Imposing Administrative Penalty.

### **Authority**

The Commissioner may issue an injunction ordering a debt management services provider to file one or more complete, timely, and accurate annual reports and required documents if the Commissioner has reasonable cause to believe that the provider is violating Chapter 394 of the Texas Finance Code.<sup>8</sup> The Commissioner may impose an administrative penalty on a provider that violates an injunction.<sup>9</sup>

The Commissioner may revoke a debt management services provider registration if the provider violates Chapter 394 of the Texas Finance Code, a rule

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<sup>6</sup> 7 Tex. Admin. Code § 88.202(a).

<sup>7</sup> 7 Tex. Admin. Code § 88.201(c).

<sup>8</sup> Tex. Fin. Code § 14.208(a).

<sup>9</sup> Tex. Fin. Code § 14.208(c).

adopted under Chapter 394, or an order issued under Chapter 394.<sup>10</sup> The Commissioner may revoke a debt management services provider registration if the provider fails to respond to communications from the Commissioner within a reasonable time and in an appropriate manner.<sup>11</sup> The Commissioner may revoke a debt management services provider registration if a fact or condition exists that, if it had existed or had been known to exist at the time of the original application for the registration, clearly would have justified the Commissioner's justification for denial of the application.<sup>12</sup>

By failing to timely file its 2022 and 2023 annual reports and required documents, Family Budget Services violated Chapter 394 of the Texas Finance Code and its implementing rules. By failing to timely file its 2023 annual report and required documents, Family Budget Services failed to respond appropriately to communications from the Commissioner and violated the OCCC's May 2023 Order to File Timely and Accurate Annual Reports and Required Documents. By failing to pay the \$500 administrative penalty, Family Budget Services violated the OCCC's May 2024 Order Imposing Administrative Penalty. These violations would have justified denial of Family Budget Services' original registration application, if these violations had existed or had been known to exist at the time of the registration application.

For these reasons, the Commissioner issues this Order of Revocation.

## **Order**

IT IS ORDERED that:

1. The debt management services provider registration of Family Budget Services Inc., master file number 1700059108, registration number 214747, is REVOKED.
2. Family Budget Services must cease and desist entering new transactions where it provides debt management services under Chapter 394 of the Texas Finance Code.

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<sup>10</sup> Tex. Fin. Code §§ 394.204(k)(3), 394.214(e)(4).

<sup>11</sup> Tex. Fin. Code § 394.204(k)(6).

<sup>12</sup> Tex. Fin. Code § 394.204(k)(1).

3. Family Budget Services must cease and desist collecting any fees for debt management services, fees for debt counseling, fees for consumer education, and any other fees for services under Chapter 394 of the Texas Finance Code.
4. **No later than 30 days after the date of this Order,** Family Budget Services must perform a self-review and identify each outstanding transaction under Chapter 394 of the Texas Finance Code.
5. **No later than 30 days after the date of this Order,** Family Budget Services must transfer each outstanding transaction under Chapter 394 of the Texas Finance Code to another provider that holds an active debt management services provider registration with the OCCC, in order to ensure the continued servicing of consumers' accounts.<sup>13</sup> Family Budget Services must provide written notice of the transfer to each consumer.
6. **No later than 30 days after the date of this Order,** for any outstanding transactions that Family Budget Services has not transferred to another registered provider, Family Budget Services must waive all outstanding fees for services under Chapter 394 of the Texas Finance Code. Family Budget Services will remain responsible for continued servicing of any consumer's account until the transaction is transferred to another registered provider.
7. **No later than 30 days after the date of this Order,** Family Budget Services must create a spreadsheet labeled "L24-00111FamilyBudgetServices." The spreadsheet must list each transaction transferred to another provider, each outstanding transaction, and each transaction for which Family Budget Services waived any fees. The spreadsheet must include a row for each consumer and the following columns:
  - a. account number;
  - b. first and last name of the consumer;
  - c. date of debt management services agreement;
  - d. dollar amount of any fees waived; and
  - e. name of any debt management services provider that Family Budget Services assigned the transaction to, if applicable.

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<sup>13</sup> Tex. Fin. Code § 394.204(l).

8. **No later than 30 days after the date of this Order**, Family Budget Services must send the spreadsheet by email to Vivek Vedanarayanan at [vivek.vedanarayanan@occc.texas.gov](mailto:vivek.vedanarayanan@occc.texas.gov).
9. Family Budget Services must allow the OCCC to investigate its records to verify compliance with this Order. If the OCCC requests any information regarding a debt management services transaction, Family Budget Services must provide the requested information within five days.

### **Right to Request Hearing**

You have the right to request a hearing regarding this Order.<sup>14</sup> 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.<sup>15</sup> You must send your request to Vivek Vedanarayanan, Assistant General Counsel, 2601 N. Lamar Blvd., Austin, TX 78705, or by email to [vivek.vedanarayanan@occc.texas.gov](mailto:vivek.vedanarayanan@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.<sup>16</sup> If you fail to request a hearing by this deadline, this Order will be considered final and enforceable.<sup>17</sup>

All communications with the OCCC concerning this matter must be through Vivek Vedanarayanan, Assistant General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at 512-936-7623, or by email to [vivek.vedanarayanan@occc.texas.gov](mailto:vivek.vedanarayanan@occc.texas.gov).

Signed this 6th day of September, 2024.

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

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<sup>14</sup> Tex. Fin. Code §§ 14.208(b), 394.204(k).

<sup>15</sup> Tex. Fin. Code §§ 14.208(b), 394.204(k).

<sup>16</sup> Tex. Fin. Code §§ 14.208(b), 394.204(k).

<sup>17</sup> Tex. Fin. Code §§ 14.208(b), 394.204(k).

**CERTIFICATE OF SERVICE**

I certify that on September 6, 2024, a true and correct copy of this Order of Revocation has been sent to Family Budget Services Inc. by the following:

Family Budget Services Inc.  
Attn: Alan Silverberg,  
Compliance Officer  
3301 N. University Dr., Ste. 100  
Pompano Beach, FL 33065  
macarballo@myfbsi.org

- email
- eFileTexas.gov electronic service
- regular mail
- certified mail, return receipt requested  
# 9214 8901 9403 8300 0076 7771 40

Family Budget Services Inc.  
Attn: BizFilings, Registered Agent  
701 Brazos St., Ste. 720  
Austin, TX 78701

- email
- eFileTexas.gov electronic service
- regular mail
- certified mail, return receipt requested  
# 9214 8901 9403 8300 0076 7771 57

/s/Vivek V. Vedanarayanan  
Vivek V. Vedanarayanan  
Assistant General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24127068  
2601 North Lamar Blvd.  
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512-936-7623 (phone)  
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