

OCCC CASE NO. L24-00116

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 2300074122	§	OFFICE OF CONSUMER
RODEO AUTO, INC.	§	
d/b/a RODEO AUTO	§	CREDIT COMMISSIONER
8224 N. FREEWAY	§	
HOUSTON, TEXAS 77037	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Rodeo Auto, Inc. d/b/a Rodeo Auto (“Rodeo Auto”), based on the violations of law described below.¹

Statement of Facts and Law

Under Chapter 348 of the Texas Finance Code, a person must hold a motor vehicle sales finance license issued by the OCCC in order to act as a holder of a motor vehicle retail installment contract.² A holder is a person who operates as a retail seller, or holds and collects on a contract in which the person agrees to accept the cash price of a motor vehicle in one or more deferred installments.³

Rodeo Auto is a motor vehicle dealer that operates under master file number 2300074122 and license number 169952. Rodeo Auto is located at 8224 N. Freeway, Houston, Texas 77037. Rodeo Auto’s compliance officer is Marcela Rodriguez, and its designated contact address is 8224 N. Freeway, Houston, Texas 77037.

In its license application, Rodeo Auto stated that it had entered 31 motor vehicle retail installment transactions without a license. On September 6, 2023, the OCCC entered an Agreed Order with Rodeo Auto requiring Rodeo Auto to pay an administrative penalty of \$100.00 per reported unlicensed transaction, for a total of \$3,100.00, and to refund any finance charges Rodeo Auto may have assessed in unlicensed transactions. Rodeo Auto paid the \$3,100.00 administrative penalty and refunded finance charges to consumers. By signing the Agreed Order, Rodeo Auto

¹ Tex. Fin. Code §§ 14.208, 14.251.

² Tex. Fin. Code § 348.501.

³ Tex. Fin. Code § 348.001(3), (7), (8).

agreed that if it conducted unlicensed activity other than the activity identified by the Order, Rodeo Auto may be subject to additional administrative penalties. The OCCC granted Rodeo Auto's motor vehicle sales finance license on September 20, 2023.

The OCCC conducted an investigation of Rodeo Auto to confirm the total number of unlicensed motor vehicles retail installment transactions entered into by Rodeo Auto. The OCCC examiner discovered that Rodeo Auto had entered 41 total transactions, rather than the 31 that Rodeo Auto had reported in its license application.

Rodeo Auto accepted the cash price of motor vehicles in one or more deferred installments without a motor vehicle sales finance license, in violation of Section 348.501 of the Texas Finance Code. Rodeo Auto also failed to identify all unlicensed retail installment transactions it entered in violation of the Agreed Order.

Authority

If the Consumer Credit Commissioner ("Commissioner") has reasonable cause to believe that a person is violating Chapter 348 of the Texas Finance Code, the Commissioner may issue an order to cease and desist from the violation, to take affirmative action, or both to ensure compliance.⁴ The Commissioner may impose an administrative penalty for violation of an Order issued by the OCCC.⁵

The Commissioner has reasonable cause to believe that Rodeo Auto has violated Chapters 14 and 348 of the Texas Finance Code by entering retail installment transactions without a license. Rodeo Auto has also violated the Agreed Order by failing to identify all unlicensed retail installment transactions entered by Rodeo Auto.

⁴ Tex. Fin. Code § 14.208(a).

⁵ Tex. Fin. Code § 14.208(c), 14.251.

Order

IT IS ORDERED that:

1. **Within 30 days of the date of this Order**, Rodeo Auto must pay an administrative penalty in the amount of \$1,000.00 to the OCCC (calculated as \$100.00 for each of the 10 unlicensed transactions that Rodeo Auto failed to disclose to the OCCC).
2. Rodeo Auto must comply with, and cease and desist from violating, the motor vehicle sales finance licensing requirement in Section 348.501 of the Texas Finance Code.

Violation of Order

If Rodeo Auto violates this Order, this may result in suspension or revocation of Rodeo Auto's motor vehicle sales finance license.⁶

Signed this 6th day of November 2024.

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

⁶ Tex. Fin. Code § 348.508, 7 Tex. Admin. Code § 84.613(f).

CERTIFICATE OF SERVICE

I certify that on November 6, 2024, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Rodeo Auto, Inc. d/b/a Rodeo Auto by the following:

Rodeo Auto Inc.
Attn: Marcela Rodriguez,
Compliance Officer
8224 N. Freeway
Houston, TX 77037
marcela@rodeoauto.com

- email
- eFileTexas.gov electronic service
- regular mail
- certified mail, return receipt requested
#9214 8901 9403 8300 0086 5639 62

Rodeo Auto Inc.
Attn: Benito Vallejo,
Registered Agent
27007 Barrow Glen Dr.
Katy, TX 77494
benito@rodeoauto.com

- email
- eFileTexas.gov electronic service
- regular mail
- certified mail, return receipt requested
#9214 8901 9403 8300 0086 5639 79

/s/ Audrey Spalding
Audrey Spalding
Assistant General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24111055
2601 N. Lamar Blvd.
Austin, TX 78705
512-936-7659 (phone)
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