

OCCC CASE NO. L25-035

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 15865	§	OFFICE OF CONSUMER
SHAWWA INVESTMENTS LLC	§	
d/b/a HILINE MOTORS	§	CREDIT COMMISSIONER
14809 VENTURE DRIVE	§	
FARMERS BRANCH, TEXAS 75234	§	STATE OF TEXAS

AGREED ORDER

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Shawwa Investments LLC d/b/a HiLine Motors (“HiLine Motors”), based on the violations of law described below.¹

Statement of Facts and Law

HiLine Motors is a motor vehicle dealer that holds a motor vehicle sales finance license issued by the OCCC under Chapter 348 of the Texas Finance Code. HiLine Motors operates under master file number 15865 at one licensed location, under license number 58451. HiLine Motors’ compliance officer is Sami Shawwa, and its designated contact address is 14809 Venture Drive, Farmers Branch, Texas 75234.

Under Chapter 348 of the Texas Finance Code, the principal balance of a motor vehicle retail installment contract is calculated by adding the cash price of the motor vehicle, authorized amounts for itemized charges, and a documentary fee, and subtracting any downpayment.² The cash price is the price at which the retail seller offers in the ordinary course of business to sell the motor vehicle for cash.³ The cash price may include the price of services related to the sale.⁴ The amounts that are authorized as itemized charges are: (1) fees for registration, certificate of title, and license; (2) taxes; (3) inspection or sale fees prescribed by law; and (4) certain charges authorized by statute for insurance, service contracts, warranties, an automobile club membership, a trade-in credit agreements, or a debt

¹ Tex. Fin. Code §§ 14.208, 14.251.

² Tex. Fin. Code § 348.006(a).

³ Tex. Fin. Code § 348.004(a).

⁴ Tex. Fin. Code § 348.004(c).

cancellation agreement.⁵ Chapter 348 does not authorize any other charges to be included in the principal balance of a retail installment contract.

The OCCC examined HiLine Motors in May 2023. During the examination, the OCCC identified motor vehicle retail installment transactions in which HiLine Motors included \$299 in “Prep Service Fees” in the itemized charges of the retail installment contract. In some transactions, HiLine Motors charged a \$698 “Service Fee” that included “dealer service fee” and “window tint.” In its examination report, the OCCC cited HiLine Motors for violating Section 348.005 of the Texas Finance Code by including an unauthorized itemized charge and instructed HiLine Motors to perform a self-review. HiLine Motors identified 249 transactions with an improperly disclosed \$299 fee and 25 transactions with an improperly disclosed \$698 fee.

HiLine Motors violated Chapter 348 of the Texas Finance Code by including unauthorized dealer service fees as an itemized charge in the principal balance of motor vehicle retail installment contracts.

Order & Agreement

In lieu of ordering HiLine Motors to make restitution of all unauthorized dealer service fees, the OCCC and HiLine Motors enter this Agreed Order.

By signing below, HiLine Motors acknowledges these violations, waives all rights to any hearing or appeal, agrees to pay the administrative penalty below, and otherwise agrees to comply with this Order and Texas Law.

⁵ Tex. Fin. Code § 348.005.

IT IS ORDERED that:

1. HiLine Motors must pay an administrative penalty in the amount of \$8,970.00 to the OCCC. The administrative penalty will be payable in three installments.
 - a. The first installment of \$2,990.00 must be received by the OCCC **no later than December 1, 2024.**
 - b. The second installment of \$2,990.00 must be received by the OCCC **no later than January 1, 2025.**
 - c. The third installment of \$2,990.00 must be received by the OCCC **no later than February 1, 2025.**
2. HiLine Motors must cease and desist charging unauthorized amounts as itemized charges in motor vehicle retail installment transactions.
3. In future retail installment transactions, HiLine Motors must ensure that any charges for dealer services are included in the cash price disclosed to the retail buyer.
4. In any future advertisements where HiLine Motors discloses a sales price, HiLine Motors must ensure that any dealer service fee is included in the advertised sales price.⁶

Violation of Order

If HiLine Motors violates this Order in the future, 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 of this Order, (2) an order to refund unauthorized fees, or (3) suspension or revocation of HiLine Motors's motor vehicle sales finance license.⁷

⁶ See Tex. Fin. Code § 341.403(a) (prohibiting false, misleading, or deceptive advertising); 43 Tex. Admin. Code § 215.250 (containing requirements for advertising a motor vehicle sales price).

⁷ Tex. Fin. Code §§ 14.208, 14.251, 348.508.

Signed this 12th day of November, 2024.

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

AGREED:

/s/ Sami Shawwa
Sami Shawwa
President
Shawwa Investments LLC d/b/a HiLine Motors
(signed electronically with permission)

CERTIFICATE OF SERVICE

I certify that on November 12, 2024, a true and correct copy of this Agreed Order has been sent to Shawwa Investments LLC d/b/a HiLine Motors by the following:

Susan G. White
White, Starling & Osterman, PLLC
2003 N. Lamar Blvd., Suite 100
Austin, TX 78705
swhite@wso-law.com

- email
- eFileTexas.gov electronic service
- regular mail
- certified mail, return receipt requested

Attorney for Shawwa Investments LLC

Shawwa Investments LLC
Attn: Sami Shawwa, Compliance
Officer
14809 Venture Drive
Farmers Branch, TX 75234
hilinemotors@gmail.com

- email
- eFileTexas.gov electronic service
- regular mail
- certified mail, return receipt requested

/s/ Matthew Nance
Matthew J. Nance
General Counsel
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