

OCCC CASE NO. L25-087

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 2000066802	§	OFFICE OF CONSUMER
A & F HOLDINGS, LLC	§	
d/b/a BAYSIDE MITSUBISHI	§	CREDIT COMMISSIONER
621 HWY. 146 SOUTH	§	
LA PORTE, TEXAS 77571	§	STATE OF TEXAS

**ORDER TO CEASE AND DESIST, TO TAKE AFFIRMATIVE ACTION,
AND TO MAKE RESTITUTION**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to Cease and Desist, to Take Affirmative Action, and to Make Restitution against A & F Holdings, LLC d/b/a Bayside Mitsubishi (“Bayside Mitsubishi”), 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 in order to act as a holder of motor vehicle retail installment contracts.² A holder includes a dealer that sells motor vehicles and agrees to accept the cash price in one or more deferred installments.³ In order to approve a motor vehicle sales finance license application, the OCCC must find that the financial responsibility, experience, character and fitness of a license applicant are sufficient to command the confidence of the public and warrant the belief that the business will be operated lawfully and fairly, within the purposes of Chapter 348.⁴

Bayside Mitsubishi 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. Bayside Mitsubishi operates under master file number 2000066802 at one licensed location, under license number 164484. Bayside Mitsubishi’s designated compliance officer is Kenny O’Kane, and its designated contact address is 621

¹ Tex. Fin. Code §§ 14.208, 14.251.

² Tex. Fin. Code § 348.501.

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

⁴ Tex. Fin. Code § 348.504(a).

Hwy. 146 South, La Porte, Texas 77571. According to the OCCC's licensing records, Alex Sinno is the 100% owner of Bayside Mitsubishi.

Under Chapter 348, in a motor vehicle retail installment transaction, the dealer must pay in full the outstanding balance of a vehicle traded in not later than the 25th day after: (1) the retail installment contract is signed by the retail buyer and the retail buyer receives delivery of the vehicle being purchased, and (2) the retail seller receives delivery of the motor vehicle traded in and necessary documents to transfer title.⁵

Under Chapter 348, a motor vehicle retail installment contract may include an itemized charge for title or registration fees paid to a public official.⁶ Under Chapter 348's implementing rules, a dealer must maintain a copy of a record reflecting the amount paid for title or registration.⁷

Under Chapter 348, a motor vehicle dealer must comply with state statutes, including the Texas Business & Commerce Code, in its retail installment transactions.⁸ Chapter 2 of the Business & Commerce Code provides that a contract to sell goods includes a warranty of title, which is the seller's warranty that the title conveyed will be good and that the goods will be delivered free from any security interest or lien of which the buyer has no knowledge.⁹

Under Chapters 14 and 348 of the Finance Code, if the OCCC receives a complaint or other reasonable cause to believe that a person is violating Chapter 348, then the OCCC may require the person to furnish information and may conduct an investigation to discover a violation or obtain required information.¹⁰ Under Chapter 348 and its implementing rules, a dealer must maintain a record of each retail installment transaction and must allow the OCCC to investigate its records and transactions.¹¹

Between October 2024 and December 2024, the OCCC received consumer complaints alleging that Bayside Mitsubishi failed to pay off trade-in vehicles.¹² Two of these complaints were from consumers who purchased vehicles from

⁵ Tex. Fin. Code § 348.408(b).

⁶ Tex. Fin. Code § 348.005(1).

⁷ 7 Tex. Admin. Code §§ 84.707(d)(2)(A)(iv), 84.708(e)(2)(A)(v).

⁸ Tex. Fin. Code § 348.008(b).

⁹ Tex. Bus. & Comm. Code § 2.312(a).

¹⁰ Tex. Fin. Code §§ 14.202, 348.515.

¹¹ Tex. Fin. Code §§ 348.515, 348.517; 7 Tex. Admin. Code §§ 84.707, 84.708.

¹² OCCC complaint ID nos. 124176, 124265, 124314, and 124407.

Bayside Mitsubishi and alleged that Bayside Mitsubishi had not paid off a lien for a previous owner.¹³ One of these complaints alleged that a purchased vehicle was not properly registered in the buyer's name.¹⁴

Based on these complaints, in February 2025, the OCCC conducted an onsite investigation of Bayside Mitsubishi at its licensed location at 621 Hwy. 146 South, La Porte, Texas 77571. The dealership was closed to the public. An employee of Bayside Mitsubishi stated that the trade-in vehicles were not paid off due to cash flow issues. The OCCC investigator obtained a list of 27 trade-in vehicles that had not been paid off for more than 25 days. Of these vehicles, four had been sold to subsequent buyers. The OCCC was unable to view complete transaction files because Bayside Mitsubishi's access to its dealer management system had been terminated for nonpayment.

In May 2025, the OCCC sent a request for information to Bayside Mitsubishi. In the request for information, the OCCC instructed Bayside Mitsubishi to perform a self-review, identify transactions where it failed to pay off trade-in vehicles, pay the amounts necessary to pay off outstanding balances on the vehicles, and provide a spreadsheet of affected transactions to the OCCC. Bayside Mitsubishi did not provide the requested information. An employee of Bayside Mitsubishi responded that Bayside Mitsubishi did not have the funds to pay off all the trade-in vehicles. The employee stated that Alex Sinno was paying off some of the vehicles with funds from his other business.

Bayside Mitsubishi violated Chapter 348 of the Texas Finance Code by failing to pay off trade-in vehicles within 25 days, by charging buyers registration fees that were not actually paid to public officials, and by selling vehicles without good title. Bayside Mitsubishi violated Chapter 14, Chapter 348, and Chapter 348's implementing rules by failing to allow the OCCC to investigate its records and transactions, by failing to furnish information requested by the OCCC, and by failing to maintain transaction records. In addition, Bayside Mitsubishi failed to operate lawfully and fairly within the purposes of Chapter 348.

¹³ OCCC complaint ID nos. 124176 and 124265.

¹⁴ OCCC complaint ID no. 124176.

Authority

If the Consumer Credit Commissioner (“Commissioner”) has reasonable cause to believe that a person is violating Chapter 14 of the Texas Finance Code, Chapter 348 of the Texas Finance Code, or Chapter 348’s implementing rules, the Commissioner may issue an order to cease and desist from the violation, to take affirmative action, or both to ensure compliance.¹⁵ Additionally, the Commissioner may order a person who violates Chapter 14, Chapter 348, or Chapter 348’s implementing rules to make restitution to an identifiable person.¹⁶

The Commissioner has reasonable cause to believe that Bayside Mitsubishi violated Chapter 14, Chapter 348, and Chapter 348’s implementing rules by failing to pay off trade-in vehicles within 25 days, by charging buyers registration fees that were not actually paid to public officials, by selling vehicles without good title, by failing to allow the OCCC to investigate its records and transactions, by failing to furnish information requested by the OCCC, and by failing to maintain transaction records.

Order

IT IS ORDERED that:

1. Bayside Mitsubishi must comply with, and cease and desist violating, the requirement to fully pay the outstanding balances of trade-in motor vehicles under Section 348.408 of the Texas Finance Code.
2. Bayside Mitsubishi must cease and desist charging title and registration fees in amounts that are not actually paid to public officials.
3. Bayside Mitsubishi must cease and desist selling motor vehicles without clear title.
4. Bayside Mitsubishi must cease and desist failing to allow the OCCC to investigate its transactions and records.
5. Bayside Mitsubishi must cease and desist failing to maintain transaction records.

¹⁵ Tex. Fin. Code § 14.208(a).

¹⁶ Tex. Fin. Code § 14.251(b).

6. **No later than 30 days after the date of this Order,** Bayside Mitsubishi must perform a self-review and identify each motor vehicle retail installment transaction in which:
 - a. Bayside Mitsubishi failed to fully pay the outstanding balance of a trade-in vehicle;
 - b. Bayside Mitsubishi failed to register the vehicle in the buyer's name;
 - c. Bayside Mitsubishi charged title or registration fees that exceeded the amount actually paid to a public official; or
 - d. Bayside Mitsubishi sold a vehicle without clear title.
7. **No later than 30 days after the date of this Order,** Bayside Mitsubishi must fully pay off any outstanding balance on each vehicle identified above.
8. **No later than 30 days after the date of this Order,** Bayside Mitsubishi must ensure that each vehicle is properly titled and registered in the appropriate buyer's name.
9. **No later than 30 days after the date of this Order,** Bayside Mitsubishi must refund any title or registration fees exceeding the amount actually paid to a public official.
10. **No later than 30 days after the date of this Order,** Bayside Mitsubishi must create a spreadsheet labeled "L25-087_AFHoldingsLLC." The spreadsheet must list each transaction for which Bayside Mitsubishi provided a refund, paid off a lien on a trade-in vehicle, updated a registration, or updated a title. The spreadsheet must include a row for each consumer and the following columns:
 - a. Account number
 - b. First and last name of buyer
 - c. Date of retail installment transaction
 - d. Dollar amount of outstanding trade-in balance
 - e. Dollar amount of trade-in balance paid
 - f. Dollar amount of charges refunded to the buyer
 - g. Date of any change in title status
 - h. Date of any change in registration status

11. **No later than 30 days after the date of this Order**, Bayside Mitsubishi must send a copy of the spreadsheet to the OCCC. The spreadsheet must be sent by email to Matthew Nance at matthew.nance@occc.texas.gov.
12. **No later than 30 days after the date of this Order**, Bayside Mitsubishi must provide all information described in the OCCC's May 2025 request for information. The information must be sent by email to Matthew Nance at matthew.nance@occc.texas.gov.
13. Bayside Mitsubishi must retain transaction records for each transaction, including copies of any refund checks and any ledgers showing account credits, until the later of the following:
 - a. the fourth anniversary of the date of the transaction; or
 - b. the second anniversary of the date on which the final entry is made in the record.

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 for each day.¹⁷ A violation of this Order may also result in suspension or revocation of your motor vehicle sales finance license.¹⁸

Right to Request Hearing

You have the right to request a hearing regarding this Order.¹⁹ 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.²⁰ You must send your request to Matthew Nance, General Counsel, by mail to 2601 N. Lamar Blvd., Austin, TX 78705, or by email to matthew.nance@occc.texas.gov.

If you request a hearing, a hearing will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.²¹ If you fail to request a hearing by this deadline, the Order will be considered final and enforceable.²²

¹⁷ Tex. Fin. Code § 14.208(c).

¹⁸ Tex. Fin. Code § 348.508.

¹⁹ Tex. Fin. Code § 14.208(b).

²⁰ Tex. Fin. Code § 14.208(b).

²¹ Tex. Fin. Code § 14.208(b).

²² Tex. Fin. Code § 14.208(c).

All communications with the OCCC concerning this matter must be through Matthew Nance, General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, TX 78705, by telephone at 512-936-7660, or by email to matthew.nance@occc.texas.gov.

Signed this 20th day of August, 2025.

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

CERTIFICATE OF SERVICE

I certify that on August 20, 2025, a true and correct copy of this Order to Cease and Desist, to Take Affirmative Action, and to Make Restitution has been sent to A & F Holdings, LLC d/b/a Bayside Mitsubishi by the following:

A & F Holdings, LLC
Attn: Kenny O'Kane, Compliance
Officer
621 Hwy. 146 South
La Porte, TX 77571
kennyokane@yahoo.com

- ☒ email
- ☐ eFileTexas.gov electronic service
- ☒ regular mail
- ☒ certified mail, return receipt requested
#9214 8901 9403 8300 0028 3499 99

A & F Holdings, LLC
Attn: Alex Sinno, Registered Agent
25022 Earth Stone
San Antonio, TX 78258
alex.sinno@autosavetx.com
alsinno@hotmail.com

- ☒ email
- ☐ eFileTexas.gov electronic service
- ☒ regular mail
- ☒ certified mail, return receipt requested
#9214 8901 9403 8300 0028 3528 21

A & F Holdings, LLC
Attn: Alex Sinno, Registered Agent
6622 Randolph Blvd.
Live Oak, TX 78233

- ☐ email
- ☐ eFileTexas.gov electronic service
- ☒ regular mail
- ☒ certified mail, return receipt requested
#9214 8901 9403 8300 0028 3530 71

/s/ Matthew Nance

Matthew J. Nance
General Counsel
Office of Consumer Credit Commissioner
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