

OCCC CASE NO. L20-00138

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 13866	§	OFFICE OF CONSUMER
TAX RESCUE II LLC	§	
PO BOX 741109	§	CREDIT COMMISSIONER
HOUSTON, TEXAS 77274	§	
	§	STATE OF TEXAS

ORDER TO FILE TIMELY AND ACCURATE ANNUAL REPORTS

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Annual Reports against Tax Rescue II LLC (“Tax Rescue II”).¹

Statement of Facts and Law

Tax Rescue II is a property tax lender licensed by the OCCC under Chapter 351 of the Texas Finance Code. Tax Rescue II operates under master file number 13866 at one licensed location, under license number 54537. Tax Rescue II’s compliance officer is Jose Torres, and its designated contact address is PO Box 741109, Houston, Texas, 77274.

A property tax lender must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² A property tax lender must comply with all instructions from the OCCC relating to submitting the report.³ The report is due by March 31 of each year for the prior calendar year’s loan activity.⁴ For 2019 annual reports, the OCCC allowed 30 additional days (until April 30, 2020) for property tax lenders to file reports.

Tax Rescue II did not file its 2019 annual report with the OCCC on or before April 30, 2020.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code § 351.164.

³ 7 Tex. Admin. Code § 89.404.

⁴ 7 Tex. Admin. Code § 89.404.

The Commissioner may issue an injunction ordering a property tax lender to file one or more complete, accurate, and timely annual reports if the Commissioner has reasonable cause to believe that the property tax lender is violating Chapter 351 of the Texas Finance Code.⁵

The Commissioner has reasonable cause to believe that Tax Rescue II is violating Chapter 351 of the Texas Finance Code, and therefore issues this Order, because Tax Rescue II failed to timely file its 2019 annual report.

Order

IT IS ORDERED that Tax Rescue II LLC:

1. comply with, and cease and desist from violating, the reporting requirements set forth in Section 351.164 of the Texas Finance Code and Title 7, Section 89.404 of the Texas Administrative Code;
2. file its 2019 annual report within 30 days of service of this Order, if it has not already done so; and
3. timely file complete and accurate future annual reports.

Property tax lender annual reports must be submitted through the OCCC's Application Licensing Examination and Compliance System (ALECS): alecs.occ.texas.gov. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occ.texas.gov.

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 per day.⁶ Multiple violations may also result in the suspension or revocation of your license.⁷

⁵ Tex. Fin. Code § 14.208.

⁶ Tex. Fin. Code § 14.208(c).

⁷ Tex. Fin. Code § 351.156.

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁸ Your request must be made in writing and sent to the OCCC not later than 30 days after you receive this Order. You must send your request to:

Matthew Nance
Office of Consumer Credit Commissioner
2601 N. Lamar Blvd.
Austin, Texas 78705

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.⁹ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.¹⁰

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

Signed this 23rd day of June, 2020.

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

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(b).

¹⁰ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on June 23, 2020, a true and correct copy of this Order to File Timely and Accurate Annual Reports has been sent to Tax Rescue II LLC by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0014 0451 33

Tax Rescue II LLC

Attn: Jose Torres, Compliance Officer

PO Box 741109

Houston, TX 77274

CMRRR # 9214 8901 9403 8300 0014 0451 40

Tax Rescue II LLC

Attn: R. Gary Laws, Registered Agent

333 Camella Dr.

Corpus Christi, TX 78404

/s/ Matthew Nance

Matthew J. Nance

Deputy General Counsel

Office of Consumer Credit Commissioner

State Bar No. 24074794

2601 North Lamar Blvd.

Austin, Texas 78705

512-936-7660 (phone)

512-936-7610 (fax)

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