

OCCC CASE NO. L20-00140

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1600056570	§	OFFICE OF CONSUMER
ALTERNA TAX LLC	§	
150 S. PINE ISLAND RD., SUITE 430	§	CREDIT COMMISSIONER
PLANTATION, FLORIDA 33324	§	
	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Alterna Tax LLC (“Alterna Tax”).¹

Statement of Facts and Law

Alterna Tax is a property tax lender licensed by the OCCC under Chapter 351 of the Texas Finance Code. Alterna Tax operates under master file number 1600056570 at one licensed location, under license number 156569. Alterna Tax’s compliance officer is Albert Friedman, and its designated contact address is 150 S. Pine Island Rd., Suite 430, Plantation, Florida, 33324.

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.

On April 24, 2019, the OCCC issued an Injunctive Order to File Timely and Accurate Reports against Alterna Tax for failing to timely file its 2018 Annual report. Alterna Tax did not request a hearing on the Order, and the Order became final and enforceable. The Order required Alterna Tax to timely file complete and accurate future reports.

¹ Tex. Fin. Code § 14.208(a), (c).

² Tex. Fin. Code § 351.164.

³ 7 Tex. Admin. Code § 89.404.

⁴ 7 Tex. Admin. Code § 89.404.

Alterna Tax did not file its 2019 annual report with the Commissioner on or before April 30, 2020.

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 may impose an administrative penalty on a property tax lender that violates an injunction.⁶

By failing to timely file its 2019 annual report, Alterna Tax has violated Chapter 351 of the Texas Finance Code and the OCCC's Injunctive Order to File Timely and Accurate Reports.

Order

IT IS ORDERED that Alterna Tax LLC:

1. pay an administrative penalty in the amount of **\$500.00**, calculated as \$500.00 each for Alterna Tax's one licensed location, within 30 days of service of this Order; and
2. file its 2019 annual report within 30 days of service of this Order, if it has not already done so.

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

⁵ Tex. Fin. Code § 14.208(a).

⁶ Tex. Fin. Code § 14.208(c).

Right to Request Hearing

You have the right to request a hearing regarding this Order. 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. If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.

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

CERTIFICATE OF SERVICE

I certify that on June 23, 2020, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Alterna Tax LLC by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0014 0451 64
Alterna Tax LLC
Attn: Albert Friedman, Compliance Officer
150 S. Pine Island Rd., Suite 430
Plantation, FL 33324

CMRRR# 9214 8901 9403 8300 0014 0451 71
Alterna Tax LLC
Attn: CSC Lawyers Incorporating Service, Registered Agent
211 E. 7th Street, Suite 620
Austin, TX 78701

/s/ Matthew Nance
Matthew J. Nance
Deputy General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24074794
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