

OCCC CASE NO. L19-00341

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 16994	§	OFFICE OF CONSUMER
JAN PATE INC.	§	
D/B/A EAGLE AUTO SALES	§	CREDIT COMMISSIONER
441 N. HENDERSON St.	§	
RUSK, TEXAS 75785	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Jan Pate Inc. d/b/a Eagle Auto Sales (“Eagle Auto”).¹

Statement of Facts and Law

Eagle Auto is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. Eagle Auto operates under master file number 16994 at one licensed location, under license number 151688. Eagle Auto’s compliance officer is Jan Pate, and its designated contact address is 441 N. Henderson St., Rusk, Texas 75785.

A regulated lender must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² A regulated lender must file the required annual report by May 1 for the prior year’s calendar loan activity on forms prescribed by the Commissioner and must comply with all instructions relating to submitting the report.³

On May 25, 2016, the OCCC issued an Order to File Timely and Accurate Annual Reports against Eagle Auto for failing to timely file its 2015 annual report. Eagle Auto did not request a hearing on the Order, and a Final Order was issued on July 14, 2016. The Order required Eagle Auto to timely file complete and accurate future annual reports.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code § 342.559.

³ 7 Tex. Admin. Code § 83.835; https://occc.texas.gov/industry/regulated-lenders/annual_reports.

Eagle Auto did not file its 2018 annual report with the Commissioner on or before May 1, 2019.

Order

IT IS ORDERED that Jan Pate Inc. d/b/a Eagle Auto Sales:

1. pay an administrative penalty in the amount of \$500.00 (calculated as \$500.00 each for Eagle Auto's one licensed location), within 30 days of service of this Order; and
2. file its 2018 annual report within 30 days of service of this Order, if it has not already done so.

Regulated 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.

Response and Right to Request Hearing

You have the right to request a hearing regarding this Order.⁴ 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.⁵ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.⁶

⁴ Tex. Fin. Code § 14.208(b).

⁵ Tex. Fin. Code § 14.208(b).

⁶ Tex. Fin. Code § 14.208(c).

All communications with the OCCC concerning this matter must be through Matthew Nance, Deputy General Counsel. You may contact him 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 21st day of August, 2019.

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

CERTIFICATE OF SERVICE

I certify that on August 21, 2019, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Jan Pate Inc. d/b/a Eagle Auto Sales by regular mail and certified mail, return receipt requested, at:

CMRRR# 91 7199 9991 7037 4753 6237

Jan Pate Inc.

Attn: Jan Pate, Compliance Officer

441 N. Henderson St.

Rusk, TX 75785

CMRRR# 91 7199 9991 7037 4753 6244

Jan Pate Inc.

Attn: Jan Pate, Registered Agent

150 Birmingham Forest Dr.

Rusk, TX 75785

/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

(512) 936-7610 (fax)

matthew.nance@occc.texas.gov