

OCCC CASE NO. L19-00347

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 12911	§	OFFICE OF CONSUMER
	§	
TMG FINANCIAL SERVICES INC.	§	CREDIT COMMISSIONER
1500 N. W. 118TH ST.	§	
DES MOINES, IOWA 50325	§	STATE OF TEXAS

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against TMG Financial Services Inc. (“TMG”).<sup>1</sup>

**Statement of Facts and Law**

TMG is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. TMG operates under master file number 12911 at one licensed location, under license number 52677. TMG’s compliance officer is Anne Whatley, and its designated contact address is 1500 N. W. 118th St., Des Moines, Iowa 50325.

A regulated lender must file annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> 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.<sup>3</sup>

On May 26, 2016, the OCCC issued an Order to File Timely and Accurate Annual Reports against TMG for failing to timely file its 2015 annual report. TMG did not request a hearing on the Order, and a Final Order was issued on July 14, 2016. The Order required TMG to timely file complete and accurate future annual reports.

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

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code § 342.559.

<sup>3</sup> 7 Tex. Admin. Code § 83.835; [https://occc.texas.gov/industry/regulated-lenders/annual\\_reports](https://occc.texas.gov/industry/regulated-lenders/annual_reports).

## Order

IT IS ORDERED that TMG Financial Services Inc.:

1. pay an administrative penalty in the amount of **\$1,000.00** (calculated as \$1,000.00 each for TMG'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](http://alecs.occ.texas.gov). Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, [occ.texas.gov](http://occ.texas.gov).

## Response and Right to Request Hearing

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

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<sup>4</sup> Tex. Fin. Code § 14.208(b).

<sup>5</sup> Tex. Fin. Code § 14.208(b).

<sup>6</sup> 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](mailto: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 TMG Financial Services Inc. by regular mail and certified mail, return receipt requested, at:

CMRRR# 91 7199 9991 7037 4753 6350  
TMG Financial Services Inc.  
Attn: Anne Whatley, Compliance Officer  
1500 N. W. 118th St.  
Des Moines, IA 50325

CMRRR# 91 7199 9991 7037 4753 6367  
TMG Financial Services Inc.  
Attn: Corporation Service Company, Registered Agent  
701 Brazos St., Ste. 1050  
Austin, TX 78701

/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