

OCCC CASE NO. L19-00397

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 13359	§	OFFICE OF CONSUMER
ANGEL MOCTEZUMA d/b/a	§	
ANGEL'S AUTO SALES	§	CREDIT COMMISSIONER
115 S. MAIN ST.	§	
CONROE, TEXAS 77301	§	STATE OF TEXAS

AGREED ORDER

The Office of Consumer Credit Commissioner ("OCCC") and Angel Moctezuma d/b/a Angel's Auto Sales ("Angel's Auto Sales") enter this Agreed Order under Section 14.208 of the Texas Finance Code.

Statement of Facts and Law

Angel's Auto Sales is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. As a regulated lender, Angel's Auto Sales has received charges in connection with loans under Chapter 342 of the Finance Code, and has entered retail installment contracts for the sale of motor vehicles under Chapter 348 of the Finance Code. Angel's Auto Sales operates under master file number 13559 at one licensed location, under license number 53599. Angel's Auto Sales' compliance officer is Angel Moctezuma, and its designated contact address is 115 S. Main St., Conroe, Texas 77301.

Under Chapter 342 of the Finance Code, a regulated lender must file annual reports with the Consumer Credit Commissioner ("Commissioner").¹ Under Chapter 342's implementing rules, a regulated lender must file the required annual report by May 1 for the prior calendar year's loan activity on forms prescribed by the Commissioner, and must comply with all instructions relating to submitting the report.²

On May 26, 2016, the OCCC issued an Order to File Timely and Accurate Reports against Angel's Auto Sales for failing to file its 2015 annual report by the deadline of May 1, 2016. Angel's Auto Sales did not request a hearing on the

¹ Tex. Fin. Code § 342.559.

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

Order, and a Final Order was issued on July 14, 2016. The Order required Angel's Auto Sales to timely file complete and accurate future annual reports. Angel's Auto Sales ultimately filed its 2015 annual report.

On May 19, 2017, the OCCC issued an Order Assessing Administrative Penalty for Violation of Injunctive Order against Angel's Auto Sales for failing to file its 2016 annual report by the deadline of May 1, 2017. Angel's Auto Sales paid the \$500.00 administrative penalty, and the Order became final. Angel's Auto Sales ultimately filed its 2016 annual report.

On July 9, 2018, the OCCC issued an Order Assessing Administrative Penalty for Violation of Injunctive Order against Angel's Auto for failing to file its 2017 annual report by the extended deadline of May 18, 2018. Angel's Auto paid the \$1,000.00 administrative penalty, and the Order became final. Angel's Auto Sales ultimately filed its 2017 annual report.

Angel's Auto Sales did not file its 2018 annual report with the Commissioner by the deadline of May 1, 2019. On December 18, 2019, the OCCC issued an Order of Revocation against Angel's Auto Sales.

Authority

If the Commissioner has reasonable cause to believe that a regulated lender is violating Chapter 342, then the Commissioner may issue an injunction ordering the regulated lender to cease and desist from the violation, to take affirmative action, or both to enforce compliance.³

The Commissioner has reasonable cause to believe that Angel's Auto Sales has violated Chapter 342 by failing to timely file its 2018 annual report.

Order and Agreement

In lieu of revoking Angel's Auto Sales' license, Angel's Auto Sales and the OCCC enter this Agreed Order. By signing below, Angel's Auto Sales acknowledges the violations described above, waives all rights to any hearing or

³ Tex. Fin. Code §§ 14.201, 14.208(a).

appeal, agrees to pay the administrative penalty identified below, and otherwise agrees to comply with this Agreed Order and Texas law.

IT IS ORDERED that:

1. **No later than February 10, 2020**, Angel's Auto Sales LLC must pay an administrative penalty of \$2,000.00 to the OCCC.
2. **No later than February 10, 2020**, Angel's Auto Sales must file its 2018 annual report, if it has not already done so.
3. Angel's Auto Sales must comply with, and cease and desist from violating, the reporting requirements set forth in Section 342.559 of the Texas Finance Code and Title 7, Section 83.835 of the Texas Administrative Code.
4. Angel's Auto Sales must timely file complete and accurate future annual reports.
5. If Angel's Auto Sales violates this Agreed Order, the OCCC may impose an administrative penalty of up to \$1,000 per day, and may revoke Angel's Auto Sales' license.⁴
6. The Order of Revocation issued to Angel's Auto Sales on December 18, 2019, is withdrawn and replaced by this Agreed Order.

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.

Signed this 8th day of January, 2020.

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

⁴ Tex. Fin. Code §§ 14.208(c), 342.156.

AGREED:

/s/ Stephanie Palma

Stephanie Palma

Manager

Angel Moctezuma d/b/a Angel's Auto Sales

(signed electronically with permission)

CERTIFICATE OF SERVICE

I certify that on January 8, 2020, a true and correct copy of this Agreed Order was sent to Angel Moctezuma d/b/a Angel's Auto Sales by the following:

Angel Moctezuma d/b/a Angel's Auto Sales
Attn: Angel Moctezuma, Compliance Officer; Stephanie Palma, Manager
115 S. Main St.
Conroe, TX 77301
angel.moctezuma@yahoo.com
palma_gs@yahoo.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
#91 7199 9991 7037 5193 4487

Angel Moctezuma d/b/a Angel's Auto Sales
Attn: Gloria Moctezuma, Registered Agent
606 Garrett
Conroe, TX 77301

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
#91 7199 9991 7037 5193 4494

/s/ Matthew Nance
Matthew J. Nance
Deputy General Counsel
Office of Consumer Credit Commissioner
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