

OCCC CASE NO. L19-00282

IN THE MATTER OF: § BEFORE THE
§
§ OFFICE OF CONSUMER
MASTER FILE NUMBER: 1600055626 §
WKZ TAX FUNDING LLC § CREDIT COMMISSIONER
1500 S. DAIRY ASHFORD RD., SUITE 325 §
HOUSTON, TEXAS 77077 § STATE OF TEXAS

**ORDER ASSESSING ADMINISTRATIVE PENALTY
FOR VIOLATION OF INJUNCTIVE ORDER**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Assessing Administrative Penalty for Violation of Injunctive Order against WKZ Tax Funding LLC (“WKZ Tax Funding”).¹

Statement of Facts and Law

WKZ Tax Funding is a property tax lender licensed by the OCCC under Chapter 351 of the Texas Finance Code. WKZ Tax Funding operates under master file number 1600055626 at one licensed location, under license number 156007. WKZ Tax Funding’s compliance officer is Erich Mundinger, and its designated contact address is 1500 S. Dairy Ashford Rd., Suite 325, Houston, Texas, 77077.

A property tax lender must file an annual report by March 31 of each year with the Consumer Credit Commissioner (“Commissioner”).² The report must be under oath and in the form prescribed by the Commissioner.³ The report must reflect the prior year's loan activity, and must comply with all instructions relating to submitting the report.⁴

On June 4, 2018, the OCCC issued an Injunctive Order to File Timely and Accurate Reports against WKZ Tax Funding for failing to timely file its 2018 Annual report. WKZ Tax Funding did not request a hearing on the order and

¹ Tex. Fin. Code § 14.208(c).

² Tex. Fin. Code § 351.164; 7 Tex. Admin. Code § 89.404.

³ Tex. Fin. Code § 351.164(b).

⁴ 7 Tex. Admin. Code § 89.404; <https://occc.texas.gov/industry/property-tax-lenders/property-tax-lenders-annual-reports>.

the order became final. The order required WKZ Tax Funding to file its 2018 annual report no later than March 31, 2019.

WKZ Tax Funding did not file its 2018 annual report with the Commissioner on or before March 31, 2019. In correspondence dated March 15, 2019, the OCCC notified WKZ Tax Funding that its 2018 annual report had not been received. As of the date of this order, the OCCC has not received WKZ Tax Funding's 2018 annual report.

Order

IT IS ORDERED that WKZ Tax Funding LLC:

3. pay an administrative penalty in the amount of **\$500.00**, calculated as \$500.00 each for WKZ Tax Funding's one licensed location, within 30 days of service of this Order; and
4. file its 2018 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. A check made payable to 'Office of Consumer Credit Commissioner' may be mailed to 2601 N. Lamar Blvd., Austin, Texas 78705, for payment of the \$500.00 penalty.

Response and 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 24th day of April, 2019.

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

CERTIFICATE OF SERVICE

I certify that on April 24, 2019, a true and correct copy of this Order Assessing Administrative Penalty for Violation of Injunctive Order has been sent to WKZ Tax Funding LLC by regular mail and certified mail, return receipt requested, at:

CMRRR# 91 7199 9991 7037 5162 1417
WKZ Tax Funding LLC
Attn: Erich Mundinger, Compliance Officer
1500 S. Dairy Ashford Rd., Suite 325
Houston, TX 77077

CMRRR# 91 7199 9991 7037 5162 1424
WKZ Tax Funding LLC
Attn: Erich Mundinger, Registered Agent
2365 Rice Blvd., Ste. 201
Houston, TX 77005

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