

OCCC CASE NO. L19-00297

IN THE MATTER OF:	§	BEFORE THE
	§	
	§	OFFICE OF CONSUMER
MASTER FILE NO.: 1600056775	§	
GOALS AUTO MOTORS LLC	§	CREDIT COMMISSIONER
16319 WEST BELLFORT	§	
SUGAR LAND, TEXAS 77479	§	STATE OF TEXAS

ORDER TO ALLOW EXAMINATION AND INVESTIGATION

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to Allow Examination and Investigation against Goals Auto Motors LLC (“Goals Auto Motors”), based on the violations of law described below.¹

Statement of Facts and Law

Under Chapter 348 of the Texas Finance Code, a person must hold a motor vehicle sales finance license in order to act as a holder of a motor vehicle retail installment contract.² A holder is a person who operates as a retail seller or holds and collects on a contract in which the person agrees to accept the cash price of a motor vehicle in one or more deferred installments.³

Goals Auto Motors is a motor vehicle sales finance dealer licensed by the OCCC to operate as a holder under Chapter 348 of the Texas Finance Code. Goals Auto Motors operates under master file number 1600056775 at one licensed location, under license number 156737. Goals Auto Motors’ compliance officer is Jose Berti Vethencourt, and its designated contact address is 16319 West Bellfort, Sugar Land, Texas 77479.

Under Chapter 348 of the Texas Finance Code, at times the OCCC considers necessary, the OCCC will examine each place of business of each licensee, and will investigate the licensee’s transactions and records.⁴ A licensee must give the OCCC free access to the licensee’s office and place of business.⁵

¹ Tex. Fin. Code § 14.208.
² Tex. Fin. Code § 348.501.
³ Tex. Fin. Code § 348.001(3), (7), (8).
⁴ Tex. Fin. Code § 348.514(a).
⁵ Tex. Fin. Code § 348.514(b).

The OCCC may conduct an examination after advance notice and during normal business hours.⁶ If the OCCC has reasonable cause to believe that a person is violating Chapter 348, then the OCCC may conduct an investigation to discover a violation or obtain required information.⁷ Under Chapter 348's implementing rules, a licensee is responsible for ensuring that all contact information on file with the OCCC is current and correct.⁸

On April 23, 2019, after advance notice, the OCCC attempted to examine Goals Auto Motors' licensed location at 16319 West Bellfort, Sugar Land, Texas 77479. The OCCC was not able to examine the licensed location because it was not open to the public. Other attempts to contact Goals Auto Motors were not returned. By failing to allow the OCCC to examine its licensed location, records, and transactions, Goals Auto Motors violated Chapter 348 of the Texas Finance Code.

Authority

If the Consumer Credit Commissioner ("Commissioner") has reasonable cause to believe that a person is violating Chapter 348 of the Texas Finance Code, the Commissioner may issue an order to cease and desist from the violation, an order to take affirmative action, or both to enforce compliance.⁹

The Commissioner has reasonable cause to believe that Goals Auto Motors has violated Chapter 348 of the Texas Finance Code by failing to allow the OCCC to examine its licensed location, records, and transactions.

Order

IT IS ORDERED that:

1. Goals Auto Motors must cease and desist failing to allow the OCCC to examine its location, records, and transactions.
2. Goals Auto Motors must allow the OCCC to conduct an investigation

⁶ Tex. Fin. Code § 348.514(f).

⁷ Tex. Fin. Code § 348.515.

⁸ 7 Tex. Admin. Code § 84.607(c).

⁹ Tex. Fin. Code § 14.208(a).

of its location, records, and transactions.

3. **No later than August 21, 2019**, Goals Auto Motors must send a letter to the OCCC stating the complete address of any location where Goals Auto Motors may be examined and investigated. The letter must also state the complete address of any location where Goals Auto Motors conducts business, keeps records of transactions, or receives payments from retail buyers. The letter must be sent by e-mail to Matthew Nance at matthew.nance@occc.texas.gov.
4. **No later than August 21, 2019**, Goals Auto Motors must ensure that all contact information for Goals Auto Motors is current and correct in the OCCC's online licensing system.

Violation of Order

Goals Auto Motors may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.¹⁰ A violation of this Order may result in the revocation of Goals Auto Motors' license.¹¹

Right to Request Hearing

Goals Auto Motors has the right to request a hearing regarding this Order.¹² Goals Auto Motors' request must be made in writing and sent to the OCCC not later than 30 days after Goals Auto Motors receives this Order. Goals Auto Motors must send its request to:

Matthew Nance
Office of Consumer Credit Commissioner
2601 N. Lamar Blvd.
Austin, Texas 78705

If Goals Auto Motors requests a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government

¹⁰ Tex. Fin. Code § 14.208(c).

¹¹ Tex. Fin. Code § 348.508.

¹² Tex. Fin. Code § 14.208(b).

Code.¹³ If Goals Auto Motors fails to request a hearing by this deadline, this Order is considered final and enforceable.¹⁴

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 15th day of July, 2019.

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

¹³ Tex. Fin. Code § 14.208(b).

¹⁴ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on July 15, 2019, a true and correct copy of this Order to Allow Examination and Investigation has been sent to Goals Auto Motors LLC by the following:

Goals Auto Motors LLC
Attn: Jose Berti Vethencourt, Compliance Officer
16319 West Bellfort
Sugar Land, TX 77479
goalsauto16@yahoo.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested #91 7199 9991 7037 5193 4135

Goals Auto Motors LLC
Attn: Jose Francisco Berti Vethencourt, Registered Agent
5443 Beacon Sprines Ln.
Sugar Land, TX 77479

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested #91 7199 9991 7037 5193 4142

/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 (phone)
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matthew.nance@occc.texas.gov