

OCCC CASE NO. L19-00335

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 10048	§	OFFICE OF CONSUMER
B&J AUTO ENTERPRISES INC.	§	
D/B/A INSTRUMENT INVESTMENT	§	CREDIT COMMISSIONER
P.O. BOX 380207	§	
DUNCANVILLE, TEXAS 75138	§	STATE OF TEXAS

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against B&J Auto Enterprises Inc. d/b/a Instrument Investment (“Instrument Investment”).<sup>1</sup>

**Statement of Facts and Law**

Instrument Investment is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. Instrument Investment operates under master file number 10048 at one licensed location, under license number 45660. Instrument Investment’s compliance officer is Hilary Cross, and its designated contact address is P.O. Box 380207, Duncanville, Texas 75138.

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 Instrument Investment for failing to timely file its 2015 annual report. Instrument Investment did not request a hearing on the Order, and a Final Order was issued on July 14, 2016. The Order required Instrument Investment to timely file complete and accurate future annual reports.

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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).

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

## **Order**

IT IS ORDERED that B&J Auto Enterprises Inc. d/b/a Instrument Investment:

1. pay an administrative penalty in the amount of \$500.00 (calculated as \$500.00 each for Instrument Investment'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 B&J Auto Enterprises Inc. d/b/a Instrument Investment by regular mail and certified mail, return receipt requested, at:

CMRRR# 91 7199 9991 7037 4753 6114  
B&J Auto Enterprises Inc.  
Attn: Hilary Cross, Compliance Officer  
P.O. Box 380207  
Duncanville, TX 75138

CMRRR# 91 7199 9991 7037 4753 6121  
B&J Auto Enterprises Inc.  
Attn: James Tingle, Registered Agent  
1014 N. Hwy. 67  
Cedar Hill, TX 75104

/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  
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matthew.nance@occc.texas.gov