OCCC CASE NO. L19-00338

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 15110	§	OFFICE OF CONSUMER
	§	
AC AUTOPAY LLC	§	CREDIT COMMISSIONER
1147 BROADWAY, SUITE 100	§	
DENVER, COLORADO 80203	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner ("OCCC") issues this Order Imposing Administrative Penalty against AC Autopay LLC ("AC Autopay").[1]

Statement of Facts and Law

AC Autopay is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. AC Autopay operates under master file number 15110 at one licensed location, under license number 152590. AC Autopay's compliance officer is Jeff Hutcheson, and its designated contact address is 1147 Broadway, Suite 100, Denver, Colorado 80203.

A regulated lender must file annual reports with the Consumer Credit Commissioner ("Commissioner").[2] 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.[3]

On May 25, 2016, the OCCC issued an Order to File Timely and Accurate Annual Reports against AC Autopay for failing to timely file its 2015 annual report. AC Autopay did not request a hearing on the Order, and a Final Order was issued on July 14, 2016. The Order required AC Autopay to timely file complete and accurate future annual reports.

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

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[1] Tex. Fin. Code § 14.208.
[2] Tex. Fin. Code § 342.559.
[3] 7 Tex. Admin. Code § 83.835; https://occc.texas.gov/industry/regulated-lenders/annual_reports.

Order

IT IS ORDERED that AC Autopay LLC:

1. pay an administrative penalty in the amount of $500.00 (calculated as $500.00 each for AC Autopay'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.occc.texas.gov. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occc.texas.gov.

Response and Right to Request Hearing

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

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[4] Tex. Fin. Code § 14.208(b).
[5] Tex. Fin. Code § 14.208(b).
[6] 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.

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 AC Autopay LLC by regular mail and certified mail, return receipt requested, at:

CMRRR# 91 7199 9991 7037 4753 6176
AC Autopay LLC
Attn: Jeff Hutcheson, Compliance Officer
1147 Broadway, Suite 100
Denver, CO 80203

CMRRR# 91 7199 9991 7037 4753 6183
AC Autopay LLC
Attn: National Registered Agents Inc., Registered Agent
350 N. St. Paul St., Suite 2900
Dallas, TX 75201

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