

OCCC CASE NO. L19-00405

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 13704	§	OFFICE OF CONSUMER
LINDA ANN STANFILL	§	
d/b/a STANFILL AUTO SALES	§	CREDIT COMMISSIONER
4418 E. BELKNAP	§	
HALTOM CITY, TEXAS 76117	§	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 Linda Ann Stanfill d/b/a Stanfill Auto Sales (“Stanfill Auto Sales”), based on the violations of law described below.<sup>1</sup>

**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.<sup>2</sup> 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.<sup>3</sup>

Stanfill Auto Sales is a motor vehicle sales finance dealer licensed by the OCCC to operate as a holder under Chapter 348 of the Texas Finance Code. Stanfill Auto Sales operates under master file number 13704 at one licensed location, under license number 54229. Stanfill Auto Sales’ compliance officer is Linda A. Stanfill, and its designated contact address is 4418 E. Belknap, Haltom City, Texas 76117.

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.<sup>4</sup> A licensee

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<sup>1</sup> Tex. Fin. Code § 14.208.  
<sup>2</sup> Tex. Fin. Code § 348.501.  
<sup>3</sup> Tex. Fin. Code § 348.001(3), (7), (8).  
<sup>4</sup> Tex. Fin. Code § 348.514(a).

must give the OCCC free access to the licensee's office and place of business.<sup>5</sup> The OCCC may conduct an examination after advance notice and during normal business hours.<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup>

On July 2, 2019, after advance notice, the OCCC attempted to examine Stanfill Auto Sales' licensed location at 4418 E. Belknap, Haltom City, Texas 76117. The OCCC was not able to examine the licensed location because the business was not open to the public. Other attempts to contact Stanfill Auto Sales were not returned. By failing to allow the OCCC to examine its licensed location, records, and transactions, Stanfill Auto Sales 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.<sup>9</sup>

The Commissioner has reasonable cause to believe that Stanfill Auto Sales 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. Stanfill Auto Sales must cease and desist failing to allow the OCCC to examine its location, records, and transactions.

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<sup>5</sup> Tex. Fin. Code § 348.514(b).

<sup>6</sup> Tex. Fin. Code § 348.514(f).

<sup>7</sup> Tex. Fin. Code § 348.515.

<sup>8</sup> 7 Tex. Admin. Code § 84.607(c).

<sup>9</sup> Tex. Fin. Code § 14.208(a).

2. Stanfill Auto Sales must allow the OCCC to conduct an investigation of its location, records, and transactions.
3. **No later than September 9, 2019**, Stanfill Auto Sales must send a letter to the OCCC stating the complete address of any location where Stanfill Auto Sales may be examined and investigated. The letter must also state the complete address of any location where Stanfill Auto Sales 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](mailto:matthew.nance@occc.texas.gov).
4. **No later than September 9, 2019**, Stanfill Auto Sales must ensure that all contact information for Stanfill Auto Sales is current and correct in the OCCC's online licensing system.

### **Violation of Order**

Stanfill Auto Sales may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.<sup>10</sup> A violation of this Order may result in the revocation of Stanfill Auto Sales' license.<sup>11</sup>

### **Right to Request Hearing**

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

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

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<sup>10</sup> Tex. Fin. Code § 14.208(c).

<sup>11</sup> Tex. Fin. Code § 348.508.

<sup>12</sup> Tex. Fin. Code § 14.208(b).

If Stanfill Auto Sales requests a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.<sup>13</sup> If Stanfill Auto Sales fails to request a hearing by this deadline, this Order is considered final and enforceable.<sup>14</sup>

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](mailto:matthew.nance@occc.texas.gov).

Signed this 29th day of July, 2019.

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

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<sup>13</sup> Tex. Fin. Code § 14.208(b).

<sup>14</sup> Tex. Fin. Code § 14.208(c).

**CERTIFICATE OF SERVICE**

I certify that on July 29, 2019, a true and correct copy of this Order to Allow Examination and Investigation has been sent to Linda Ann Stanfill d/b/a Stanfill Auto Sales by the following:

Linda Ann Stanfill  
d/b/a Stanfill Auto Sales  
Attn: Linda A. Stanfill,  
Compliance Officer  
4418 E. Belknap  
Haltom City, Texas 76117  
ms-skeet@hotmail.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
#91 7199 9991 7037 5193 4173

Linda Ann Stanfill  
d/b/a Stanfill Auto Sales  
Attn: Linda Stanfill,  
Registered Agent  
9233 Magnolia Blossom  
Ft. Worth, TX 76131

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
#91 7199 9991 7037 5193 4180

/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)  
512-936-7610 (fax)  
matthew.nance@occc.texas.gov