

OCCC CASE NO. L19-00003

|                             |   |                     |
|-----------------------------|---|---------------------|
| IN THE MATTER OF:           | § | BEFORE THE          |
|                             | § |                     |
| MASTER FILE NO.: 1700059843 | § | OFFICE OF CONSUMER  |
| METAFUNDING, INC.           | § |                     |
| d/b/a VOX LOANS             | § | CREDIT COMMISSIONER |
| 8711 BURNET ROAD, STE. E51  | § |                     |
| AUSTIN, TEXAS 78757         | § | STATE OF TEXAS      |

**INJUNCTIVE ORDER TO FILE TIMELY AND ACCURATE  
QUARTERLY AND ANNUAL REPORTS**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Injunctive Order to File Timely and Accurate Quarterly and Annual Reports against Metafunding, Inc. d/b/a Vox Loans (“VOX Loans”).<sup>1</sup>

**Statement of Facts and Law**

VOX Loans is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. VOX Loans operates under master file number 1700059843 at one licensed location, under license number 159188. VOX Loans’ compliance officer is Nirav Bhagat, and its designated contact address is 8711 Burnet Road, Ste. E51, Austin, Texas 78757.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> A credit access business must submit for each of its licensed locations its 2018 2nd quarter report on or before July 31, 2018.<sup>3</sup> All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.<sup>4</sup>

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code §§ 393.622, 393.627.

<sup>3</sup> 7 Tex. Admin. Code § 83.5001.

<sup>4</sup> 7 Tex. Admin. Code § 83.5001(a).

VOX Loans did not file its 2018 2nd quarter report with the Commissioner on or before July 31, 2018. In correspondence dated August 9, 2018, the OCCC notified VOX Loans that its 2018 2nd quarter report had not been received and extended the deadline to file the report to August 23, 2018. As of the date of this Order, the OCCC has not received VOX Loans' 2018 2nd quarter report.

The Commissioner may issue an injunction ordering a credit access business to file one or more complete, accurate, and timely quarterly or annual reports if the Commissioner has reasonable cause to believe that the credit access business is violating Chapter 393 of the Texas Finance Code.<sup>5</sup>

The Commissioner has reasonable cause to believe that VOX Loans is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because VOX Loans failed to timely file its 2018 2nd quarter report.

## **Order**

IT IS ORDERED that Metafunding, Inc. d/b/a Vox Loans:

7. comply with, and cease and desist from violating, the reporting requirements set forth in Section 393.627 of the Texas Finance Code and Title 7, Section 83.5001 of the Texas Administrative Code;
8. file its 2018 2nd quarter report within 30 days of service of this Order, if it has not already done so; and
9. timely file complete and accurate future quarterly and annual reports.

Credit access business quarterly and 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).

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<sup>5</sup> Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

## **Violation of Order**

You may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.<sup>6</sup> Multiple violations may also result in the suspension or revocation of your license.<sup>7</sup>

## **Right to Request Hearing**

You have the right to request a hearing regarding this Order.<sup>8</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:

Michael Rigby  
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>9</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>10</sup>

All communications with the OCCC concerning this matter must be through Michael Rigby, General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7623, or by email to michael.rigby@occc.texas.gov.

Signed this 17<sup>th</sup> day of September, 2018.

/s/ Leslie Pettijohn

Leslie L. Pettijohn  
Consumer Credit Commissioner  
State of Texas

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<sup>6</sup> Tex. Fin. Code § 14.208(c); 7 Tex. Admin. Code § 83.5001(e)(2).

<sup>7</sup> Tex. Fin. Code § 393.614; 7 Tex. Admin. Code § 83.5001(e)(3).

<sup>8</sup> Tex. Fin. Code § 14.208(b).

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

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

## CERTIFICATE OF SERVICE

I certify that on the 18<sup>th</sup> day of September, 2018, a true and correct copy of this Injunctive Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Metafunding, Inc. d/b/a Vox Loans by regular mail and certified mail, return receipt requested, at:

CMRRR # 91 799 9991 7038 3509 7077

Metafunding, Inc.

Attn: Nirav Bhagat, Compliance Officer

8711 Burnet Road, Ste. E51

Austin, TX 78757

CMRRR # 91 7199 9991 7038 3509 7084

Metafunding, Inc.

Attn: Nirav Bhagat, Registered Agent

1814 W. St. Johns Ave.

Austin, TX 78757

/s/ Michael Rigby \_\_\_\_\_

Michael Rigby

General Counsel

Office of Consumer Credit Commissioner

State Bar No. 50511925 2601

North Lamar Blvd.

Austin, Texas 78705

(512) 936-7623

(512) 936-7610 (fax)

michael.rigby@occc.texas.gov