

OCCC CASE NO. L19-00202

<p>IN THE MATTER OF:</p> <p>MASTER FILE NUMBER 1600055306</p> <p>KARINA A. SANCHEZ</p> <p>HERNANDEZ</p> <p>d/b/a SANCHEZ-HERNANDEZ</p> <p>AUTO SALES</p> <p>1900 SANDRA KAY LN.</p> <p>ARLINGTON, TEXAS 76013</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>BEFORE THE</p> <p>OFFICE OF CONSUMER</p> <p>CREDIT COMMISSIONER</p> <p>STATE OF TEXAS</p>
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AGREED ORDER

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Karina A. Sanchez Hernandez d/b/a Sanchez-Hernandez Auto (“Sanchez-Hernandez Auto”) based on the violations of law described below.¹

Statement of Facts and Law

A motor vehicle sales finance license is required 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

The OCCC issued a license to Sanchez-Hernandez Auto on May 13, 2016. The license was last renewed on July 29, 2016 and has been cancelled non-renewable since August 1, 2017. Sanchez-Hernandez Auto has no current licenses with the OCCC. Sanchez-Hernandez Auto’s compliance officer is Karina A. Sanchez Hernandez.

Beginning August 1, 2017, Sanchez-Hernandez Auto engaged in activity requiring a license by entering into at least six motor vehicle retail installment contracts. Sanchez-Hernandez Auto accepted the cash price of motor vehicles in one or more deferred installments without a motor vehicle sales finance license,

¹ Tex. Fin. Code §§ 14.208, 14.251.
² Tex. Fin. Code § 348.501.
³ Tex. Fin. Code § 348.001(3), (7), (8).

in violation of Section 348.501 of the Texas Finance Code.

Order & Agreement

By signing below, Sanchez-Hernandez Auto waives all rights to any hearing or appeal, agrees to pay the administrative penalty and make the restitution as identified below, and otherwise agrees to comply with this Order and Texas law.

IT IS ORDERED that Karina A. Sanchez Hernandez d/b/a Sanchez-Hernandez Auto:

1. Cease and desist from any unlicensed activity under Chapter 348 of the Texas Finance Code;
2. No later than **March 15, 2019**, pay an administrative penalty of **Six Hundred Dollars (\$600.00)** to the Office of Consumer Credit Commissioner;
3. No later than **March 15, 2019**, identify all motor vehicle retail installment transactions that you entered without a license and refund the retail buyer any finance charges that you collected or that remain collectible;
4. No later than **March 15, 2019**, provide the OCCC with a spreadsheet of all transactions you identified and all buyers that you gave a refund. This list must include the buyer's name, account number, transaction date, amount financed, amount of finance charges, and refund amount; and
5. Keep a copy of each customer's refund check or payment history showing an account credit until the later of your first examination or the required retention period.⁴ During your first examination the OCCC will confirm that all refunds listed in the spreadsheet have been made.

⁴ See 7 Tex. Admin. Code § 84.704(b), (g).

Signed this 11 day of March, 2019.

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

AGREED:

Karina A. Sanchez Hernandez
d/b/a Sanchez-Hernandez Auto

/s/ Karina Sanchez Hernandez
Karina Sanchez Hernandez, Owner
(Signed electronically with permission)

CERTIFICATE OF SERVICE

I certify that on March 11, 2019, a true and correct copy of this Agreed Order has been sent to Karina A. Sanchez Hernandez d/b/a Sanchez-Hernandez Auto by the following methods:

Karina A. Sanchez Hernandez
Compliance Officer
1900 Sandra Kay Ln.
Arlington, Texas 76015
sanchezhernandezauto@yahoo.com

hand-delivery

facsimile

electronic mail

regular mail

certified mail, return receipt requested, # 91 7199 9991 7037 4758 9066

/s/ Alexandra Gullett
Alexandra L. Gullett
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