

OCCC CASE NO. L19-00226

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 13474	§	OFFICE OF CONSUMER
	§	
CARONE LLC	§	CREDIT COMMISSIONER
126 S. STEWART RD.	§	
SAN JUAN, TEXAS 78589	§	STATE OF TEXAS

**AGREED ORDER**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against CarOne LLC (“CarOne”) based on the violations of law described below.<sup>1</sup>

**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.<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>

On July 1, 2013, the OCCC granted CarOne a motor vehicle sales finance license under master file number 13474, at one licensed location under license number 65919. CarOne’s Compliance Officer is Enrique Ruiz Escalante. CarOne’s license canceled for failure to renew on August 1, 2017. On May 14, 2018, CarOne submitted an application for a motor vehicle sales finance license.

From August 1, 2017 to the date of this Order, CarOne engaged in activity requiring a license by entering 15 motor vehicle retail installment contracts. CarOne accepted the cash price of motor vehicles in one or more deferred installments without a motor vehicle sales finance license, in violation of Section 348.501 of the Texas Finance Code.

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<sup>1</sup> Tex. Fin. Code §§ 14.208, 14.251.

<sup>2</sup> Tex. Fin. Code § 348.501.

<sup>3</sup> Tex. Fin. Code § 348.001(3), (7), (8).

## Order & Agreement

By signing below, CarOne 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 CarOne LLC:

1. No later than May 31, 2019, pay an administrative penalty of **One Thousand Five Hundred Dollars (\$1,500.00)** to the Office of Consumer Credit Commissioner.
2. No later than May 31, 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.
3. No later than May 31, 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.
4. 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.<sup>4</sup> During your first examination the OCCC will confirm that all refunds listed in the spreadsheet have been made.

Signed this 31st day of May 2019.

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

**AGREED:**  
CARONE LLC

/s/ Damaris Barrios  
By: Damaris Barrios, Manager  
(signed electronically by permission)

<sup>4</sup> See 7 Tex. Admin. Code § 84.704(b), (g).

## CERTIFICATE OF SERVICE

I certify that on May 31, 2019, a true and correct copy of this Agreed Order has been sent to CarOne LLC by the following methods:

Damaris Barrios  
126 S. Stewart Rd.  
San Juan, TX 78589  
Dlo\_2020@yahoo.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
#91 7199 9991 7037 5165 2848

Enrique Ruiz Escalante,  
Compliance Officer and  
Registered Agent  
126 S. Stewart Rd.  
San Juan, TX 78589  
escalantee@msn.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
#91 7199 9991 7037 5165 2831

/s/Laurie Hobbs  
Laurie B. Hobbs  
Assistant General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24002296  
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