

OCCC CASE NO. L19-00229

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 1800061793	§	OFFICE OF CONSUMER
VICTOR MANUEL RODRIGUEZ	§	
D/B/A AUTOS RODRIGUEZ GARZA	§	CREDIT COMMISSIONER
3004 EL INDIO HWY.	§	
EAGLE PASS, TEXAS 78852	§	STATE OF TEXAS

AGREED ORDER

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Victor Manuel Rodriguez d/b/a Autos Rodriguez Garza (“Autos Rodriguez Garza”) 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

On August 20, 2018, Autos Rodriguez Garza submitted an application for a motor vehicle sales finance license under master file number 1800061793. The OCCC has not issued a license to Autos Rodriguez Garza. Autos Rodriguez Garza’s compliance officer is Victor Manuel Rodriguez.

Beginning July 10, 2018, Autos Rodriguez Garza engaged in activity requiring a license by entering one motor vehicle retail installment contract. Autos Rodriguez Garza 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.

¹ Tex. Fin. Code §§ 14.208, 14.251.

² Tex. Fin. Code § 348.501.

³ Tex. Fin. Code § 348.001(3), (7), (8).

Order & Agreement

By signing below, Autos Rodriguez Garza 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 Victor Manuel Rodriguez d/b/a Autos Rodriguez Garza:

1. No later than August 16, 2019, pay an administrative penalty of **Five Hundred Dollars (\$500.00)** to the Office of Consumer Credit Commissioner.
2. No later than August 16, 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 August 16, 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.⁴ During your first examination the OCCC will confirm that all refunds listed in the spreadsheet have been made.

Signed this 30th day of July, 2019.

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

AGREED:

Victor Manuel Rodriguez d/b/a Autos Rodriguez Garza

/s/ Victor Manuel Rodriguez
Victor Manuel Rodriguez, Owner
(signed electronically by permission)

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

CERTIFICATE OF SERVICE

I certify that on July 30, 2019, a true and correct copy of this Agreed Order has been sent to Victor Manuel Rodriguez d/b/a Autos Rodriguez Garza by the following methods:

Victor Manuel Rodriguez
d/b/a Autos Rodriguez Garza
Attn: Victor Manuel Rodriguez
3004 El Indio Hwy.
Eagle Pass, Texas 78852
victorodriguez75@hotmail.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
91 7199 9991 7038 3510 6526

Victor Manuel Rodriguez
d/b/a Autos Rodriguez Garza
Attn: Victor Rodriguez,
Compliance Officer and
Registered Agent
3004 El Indio Hwy.
Eagle Pass, Texas 78852
victorodriguez75@hotmail.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
91 7199 9991 7038 3510 6519

/s/Laurie B. Hobbs
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