

OCCC CASE NO. L19-00233

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 1800061545	§	OFFICE OF CONSUMER
ELIZABETH HERNANDEZ	§	
D/B/A EAGLE AUTO MARKET	§	CREDIT COMMISSIONER
711 WOODHAVEN BLVD., SUITE J	§	
DUNCANVILLE, TX 75116	§	STATE OF TEXAS

**AGREED ORDER**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Elizabeth Hernandez d/b/a Eagle Auto Market (“Eagle Auto Market”) 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 October 24, 2018, Eagle Auto Market submitted an application for a motor vehicle sales finance license under master file number 1800061545. The OCCC has not issued a license to Eagle Auto Market. Eagle Auto Market’s compliance officer is Elizabeth Hernandez.

Beginning April 23, 2018, Eagle Auto Market engaged in activity requiring a license by entering into three motor vehicle retail installment contracts. Eagle Auto Market 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, Eagle Auto Market 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 Elizabeth Hernandez d/b/a Eagle Auto Market:

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.<sup>4</sup> During your first examination, the OCCC will confirm that all refunds listed in the spreadsheet have been made.

Signed this 30<sup>th</sup> day of July, 2019.

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

**AGREED:**  
Eagle Auto Market

/s/ Elizabeth Hernandez  
Elizabeth Hernandez, Owner  
(signed electronically by permission)

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<sup>4</sup> 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 Elizabeth Hernandez d/b/a Eagle Auto Market by the following methods:

Elizabeth Hernandez  
d/b/a Eagle Auto Market  
Attn: Elizabeth Hernandez  
711 Woodhaven Blvd., Suite J  
Duncanville, TX 75116  
elys.incometax@sbcglobal.net

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
# 91 7199 9991 7038 3510 6564

Elizabeth Hernandez  
d/b/a Eagle Auto Market  
Attn: Elizabeth Hernandez  
Compliance Officer and  
Registered Agent  
208 Colony Dr.  
Arlington, TX 76002  
elys.incometax@sbcglobal.net

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
# 91 7199 9991 7038 3510 6557

/s/ Laurie B. Hobbs  
Laurie B. Hobbs  
Assistant General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24002296  
2601 North Lamar Blvd.  
Austin, Texas 78705  
(512) 936-7621  
(512) 936-7610 (fax)  
laurie.hobbs@occc.texas.gov