

OCCC CASE NO. L19-00244

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 17160	§	OFFICE OF CONSUMER
ADELANTE AUTO FINANCE LLC	§	
d/b/a ADELANTE CAR TITLE LOANS	§	CREDIT COMMISSIONER
7000 N. 10TH STREET, STE. 7	§	
MCALLEN, TEXAS 78504	§	STATE OF TEXAS

**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 Adelante Auto Finance LLC d/b/a Adelante Car Title Loans (“Adelante Car Title”).¹

Statement of Facts and Law

Adelante Car Title is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Adelante Car Title operates under master file number 17160 at one licensed location, under license number 67813. Adelante Car Title’s compliance officer is Gregory Sumner, and its designated contact address is 7000 N. 10th Street, Ste. 7, McAllen, Texas 78504.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).² A credit access business must submit for each of its licensed locations its 2018 4th quarter and annual reports on or before January 31, 2019.³ All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.⁴

Adelante Car Title did not file its 2018 4th quarter and annual reports with the Commissioner on or before January 31, 2019.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code §§ 393.622, 393.627.

³ 7 Tex. Admin. Code § 83.5001.

⁴ 7 Tex. Admin. Code § 83.5001(a); <https://occc.texas.gov/industry/cabs/reporting>.

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.⁵

The Commissioner has reasonable cause to believe that Adelante Car Title is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Adelante Car Title failed to timely file its 2018 4th quarter and annual reports.

Order

IT IS ORDERED that Adelante Auto Finance LLC d/b/a Adelante Car Title Loans:

1. 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;
2. file its 2018 4th quarter and annual reports within 30 days of service of this Order, if it has not already done so; and
3. 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. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occ.texas.gov.

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 per day.⁶ Multiple violations may also result in the suspension or revocation of your license.⁷

⁵ Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

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

⁷ Tex. Fin. Code § 393.614; 7 Tex. Admin. Code § 83.5001(e)(3).

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁸ 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:

Alexandra Gullett
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.⁹ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.¹⁰

All communications with the OCCC concerning this matter must be through Alexandra Gullett, Assistant General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7659, or by email to alexandra.gullett@occc.texas.gov.

Signed this 23rd day of April, 2019.

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

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(b).

¹⁰ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on the 23rd day of April, 2019, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Adelante Auto Finance LLC d/b/a Adelante Car Title Loans by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7037 5162 1189
Adelante Auto Finance LLC
Attn: Gregory Sumner, Compliance Officer
7000 N. 10th Street, Ste. 7
McAllen, TX 78504

CMRRR #91 7199 9991 7037 5162 1196
Adelante Auto Finance LLC
Attn: Graciela Guajardo, Registered Agent
7000 N 10th Street, 2nd Flr., Ste. C5
McAllen, TX 78504

/s/ Alexandra Gullett
Alexandra Gullett
Assistant General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24101840
2601 North Lamar Blvd.
Austin, Texas 78705
(512) 936-7659
(512) 936-7610 (fax)
alexandra.gullett@occc.texas.gov