

OCCC CASE NO. L19-00276

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1500053846	§	OFFICE OF CONSUMER
YASMEEN CHOCHAN	§	
d/b/a TEXAS BEST CARS	§	CREDIT COMMISSIONER
13810 BEECHNUT STREET, SUITE B	§	
HOUSTON, TEXAS 77083	§	STATE OF TEXAS

ORDER TO ALLOW EXAMINATION AND INVESTIGATION

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to Allow Examination and Investigation against Yasmeen Chohan d/b/a Texas Best Cars (“Texas Best Cars”), based on the violations of law described below.¹

Statement of Facts and Law

Under Chapter 348 of the Texas Finance Code, a person must hold a motor vehicle sales finance license in order 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

Texas Best Cars is a motor vehicle sales finance dealer licensed by the OCCC to operate as a holder under Chapter 348 of the Texas Finance Code. Texas Best Cars operates under master file number 1500053846 at one licensed location, under license number 154240. Texas Best Cars’ compliance officer is Maqbool Chohan, and its designated contact address is 13810 Beechnut Street, Suite B, Houston, Texas 77083.

Under Chapter 348 of the Texas Finance Code, at times the OCCC considers necessary, the OCCC will examine each place of business of each licensee, and will investigate the licensee’s transactions and records.⁴ A licensee must give the OCCC free access to the licensee’s office and place of business.⁵

¹ Tex. Fin. Code § 14.208.
² Tex. Fin. Code § 348.501.
³ Tex. Fin. Code § 348.001(3), (7), (8).
⁴ Tex. Fin. Code § 348.514(a).
⁵ Tex. Fin. Code § 348.514(b).

The OCCC may conduct an examination after advance notice and during normal business hours.⁶ If the OCCC has reasonable cause to believe that a person is violating Chapter 348, then the OCCC may conduct an investigation to discover a violation or obtain required information.⁷ Under Chapter 348's implementing rules, a licensee is responsible for ensuring that all contact information on file with the OCCC is current and correct.⁸

On April 3, 2019, after advance notice, the OCCC attempted to examine Texas Best Cars' licensed location at 14078 Bellaire Blvd., Suite 2, Houston, Texas 77083. The OCCC was not able to examine the licensed location because it was not open to the public. By failing to allow the OCCC to examine its licensed location, records, and transactions, Texas Best Cars violated Chapter 348 of the Texas Finance Code.

Authority

If the Consumer Credit Commissioner ("Commissioner") has reasonable cause to believe that a person is violating Chapter 348 of the Texas Finance Code, the Commissioner may issue an order to cease and desist from the violation, an order to take affirmative action, or both to enforce compliance.⁹

The Commissioner has reasonable cause to believe that Texas Best Cars has violated Chapter 348 of the Texas Finance Code by failing to allow the OCCC to examine its licensed location, records, and transactions.

Order

IT IS ORDERED that:

1. Texas Best Cars must cease and desist failing to allow the OCCC to examine its location, records, and transactions.
2. Texas Best Cars must allow the OCCC to conduct an investigation of its location, records, and transactions.

⁶ Tex. Fin. Code § 348.514(f).

⁷ Tex. Fin. Code § 348.515.

⁸ 7 Tex. Admin. Code § 84.607(c).

⁹ Tex. Fin. Code § 14.208(a).

3. **No later than August 21, 2019**, Texas Best Cars must send a letter to the OCCC stating the complete address of any location where Texas Best Cars may be examined and investigated. The letter must also state the complete address of any location where Texas Best Cars conducts business, keeps records of transactions, or receives payments from retail buyers. The letter must be sent by e-mail to Matthew Nance at matthew.nance@occc.texas.gov.
4. **No later than August 21, 2019**, Texas Best Cars must ensure that all contact information for Texas Best Cars is current and correct in the OCCC's online licensing system.

Violation of Order

Texas Best Cars may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.¹⁰ A violation of this Order may result in the revocation of Texas Best Cars' license.¹¹

Right to Request Hearing

Texas Best Cars has the right to request a hearing regarding this Order.¹² Texas Best Cars' request must be made in writing and sent to the OCCC not later than 30 days after Texas Best Cars receives this Order. Texas Best Cars must send its request to:

Matthew Nance
Office of Consumer Credit Commissioner
2601 N. Lamar Blvd.
Austin, Texas 78705

If Texas Best Cars requests a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government

¹⁰ Tex. Fin. Code § 14.208(c).

¹¹ Tex. Fin. Code § 348.508.

¹² Tex. Fin. Code § 14.208(b).

Code.¹³ If Texas Best Cars fails to request a hearing by this deadline, this Order is considered final and enforceable.¹⁴

All communications with the OCCC concerning this matter must be through Matthew Nance, Deputy General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7660, or by email to matthew.nance@occc.texas.gov.

Signed this 15th day of July, 2019.

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

¹³ Tex. Fin. Code § 14.208(b).

¹⁴ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on July 15, 2019, a true and correct copy of this Order to Allow Examination and Investigation has been sent to Yasmeen Chohan d/b/a Texas Best Cars by the following:

Yasmeen Chohan d/b/a Texas Best Cars hand-delivery
Attn: Maqbool Chohan, Compliance facsimile
Officer electronic mail
13810 Beechnut Street, Suite B regular mail
Houston, Texas 77083 certified mail, return receipt requested
texasbestcarsmc@gmail.com #91 7199 9991 7037 5193 4050

Yasmeen Chohan d/b/a Texas Best Cars hand-delivery
Attn: Maqbool Chohan, Registered facsimile
Agent electronic mail
2751 Villa Del Street regular mail
Sugar Land, Texas 77478 certified mail, return receipt requested
#91 7199 9991 7037 5193 4067

/s/ Matthew Nance
Matthew J. Nance
Deputy General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24074794
2601 North Lamar Blvd.
Austin, Texas 78705
512-936-7660 (phone)
512-936-7610 (fax)
matthew.nance@occc.texas.gov