

OCCC CASE NO. L19-00279

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1700058859	§	OFFICE OF CONSUMER
SHALEEN ENTERPRISES LLC	§	
d/b/a SHALEEN AUTO SALES	§	CREDIT COMMISSIONER
4816 PORTSMOUTH BLVD.	§	
EL PASO, TEXAS 79922	§	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 Shaleen Enterprises LLC d/b/a Shaleen Auto Sales (“Shaleen Auto Sales”), based on the violations of law described below.<sup>1</sup>

**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.<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>

Shaleen Auto Sales is a motor vehicle sales finance dealer licensed by the OCCC to operate as a holder under Chapter 348 of the Texas Finance Code. Shaleen Auto Sales operates under master file number 1700058859 at one licensed location, under license number 158174. Shaleen Auto Sales’ compliance officer is Glenn Shaleen, and its designated contact address is 4816 Portsmouth Blvd., El Paso, Texas 79922.

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.<sup>4</sup> A licensee

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<sup>1</sup> Tex. Fin. Code § 14.208.  
<sup>2</sup> Tex. Fin. Code § 348.501.  
<sup>3</sup> Tex. Fin. Code § 348.001(3), (7), (8).  
<sup>4</sup> Tex. Fin. Code § 348.514(a).

must give the OCCC free access to the licensee's office and place of business.<sup>5</sup> The OCCC may conduct an examination after advance notice and during normal business hours.<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup>

On February 7, 2019, after advance notice, the OCCC attempted to examine Shaleen Auto Sales' licensed location at 5192 Doniphan, El Paso, Texas 79922. The OCCC was not able to examine the licensed location because it was not open to the public. Other attempts to contact Shaleen Auto Sales were not returned. By failing to allow the OCCC to examine its licensed location, records, and transactions, Shaleen Auto Sales 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.<sup>9</sup>

The Commissioner has reasonable cause to believe that Shaleen Auto Sales 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. Shaleen Auto Sales must cease and desist failing to allow the OCCC to examine its location, records, and transactions.

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<sup>5</sup> Tex. Fin. Code § 348.514(b).

<sup>6</sup> Tex. Fin. Code § 348.514(f).

<sup>7</sup> Tex. Fin. Code § 348.515.

<sup>8</sup> 7 Tex. Admin. Code § 84.607(c).

<sup>9</sup> Tex. Fin. Code § 14.208(a).

2. Shaleen Auto Sales must allow the OCCC to conduct an investigation of its location, records, and transactions.
3. **No later than August 21, 2019**, Shaleen Auto Sales must send a letter to the OCCC stating the complete address of any location where Shaleen Auto Sales may be examined and investigated. The letter must also state the complete address of any location where Shaleen Auto Sales 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](mailto:matthew.nance@occc.texas.gov).
4. **No later than August 21, 2019**, Shaleen Auto Sales must ensure that all contact information for Shaleen Auto Sales is current and correct in the OCCC's online licensing system.

### **Violation of Order**

Shaleen Auto Sales may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.<sup>10</sup> A violation of this Order may result in the revocation of Shaleen Auto Sales' license.<sup>11</sup>

### **Right to Request Hearing**

Shaleen Auto Sales has the right to request a hearing regarding this Order.<sup>12</sup> Shaleen Auto Sales' request must be made in writing and sent to the OCCC not later than 30 days after Shaleen Auto Sales receives this Order. Shaleen Auto Sales must send its request to:

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

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<sup>10</sup> Tex. Fin. Code § 14.208(c).

<sup>11</sup> Tex. Fin. Code § 348.508.

<sup>12</sup> Tex. Fin. Code § 14.208(b).

If Shaleen Auto Sales requests a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.<sup>13</sup> If Shaleen Auto Sales fails to request a hearing by this deadline, this Order is considered final and enforceable.<sup>14</sup>

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](mailto:matthew.nance@occc.texas.gov).

Signed this 15th day of July, 2019.

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

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<sup>13</sup> Tex. Fin. Code § 14.208(b).

<sup>14</sup> 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 Shaleen Enterprises LLC d/b/a Shaleen Auto Sales by the following:

Shaleen Enterprises LLC  hand-delivery  
d/b/a Shaleen Auto Sales  facsimile  
Attn: Glenn Shaleen, Compliance Officer  electronic mail  
4816 Portsmouth Blvd.  regular mail  
El Paso, TX 79922  certified mail, return receipt requested  
shaleenautosales@gmail.com #91 7199 9991 7037 5193 4074

Shaleen Enterprises LLC  hand-delivery  
d/b/a Shaleen Auto Sales  facsimile  
Attn: Ivonne Martinez, Registered Agent  electronic mail  
4816 Portsmouth Blvd.  regular mail  
El Paso, TX 79922  certified mail, return receipt requested  
gsshaleen@aol.com #91 7199 9991 7037 5193 4081

/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