

OCCC CASE NO. L19-00288

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NUMBER: 1700057932	§	OFFICE OF CONSUMER
NOTEWISE INVESTMENTS LLC	§	
d/b/a TAX LOANS TEXAS	§	CREDIT COMMISSIONER
2326 W. WALNUT	§	
GARLAND, TEXAS 75042	§	STATE OF TEXAS

**INJUNCTIVE ORDER TO FILE TIMELY AND  
ACCURATE ANNUAL REPORTS**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Injunctive Order to File Timely and Accurate Annual Reports against Notewise Investments LLC d/b/a Tax Loans Texas (“Tax Loans Texas”).<sup>1</sup>

**Statement of Facts and Law**

Tax Loans Texas is a property tax lender licensed by the OCCC under Chapter 351 of the Texas Finance Code. Tax Loans Texas operates under master file number 1700057932 at one licensed location, under license number 157355. Tax Loans Texas’s compliance officer is John Meager, and its designated contact address is 2326 W. Walnut, Garland, Texas, 75042.

A property tax lender must file an annual report by March 31 of each year with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> The report must be under oath and in the form prescribed by the Commissioner.<sup>3</sup> The report must reflect the prior year's loan activity, and must comply with all instructions relating to submitting the report.<sup>4</sup>

Tax Loans Texas did not file its 2018 annual report with the OCCC on or before March 31, 2019. In correspondence dated March 15, 2019, the OCCC notified Tax Loans Texas that its 2018 annual report had not been received. As of the date of this order, the OCCC has not received Tax Loans Texas’s 2018 annual report.

<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code § 351.164; 7 Tex. Admin. Code § 89.404.

<sup>3</sup> Tex. Fin. Code § 351.164(b).

<sup>4</sup> 7 Tex. Admin. Code § 89.404; <https://occc.texas.gov/industry/property-tax-lenders/property-tax-lenders-annual-reports>.

The Commissioner may issue an order to take affirmative action, and cease and desist from committing a violation, if the Commissioner has reasonable cause to believe that a person is violating Chapter 351 of the Texas Finance Code.<sup>5</sup>

The Commissioner has reasonable cause to believe that Tax Loans Texas is violating Chapter 351 of the Texas Finance Code, and therefore issues this Order because Tax Loans Texas failed to file its 2018 annual report before March 31, 2019.

### **Order**

IT IS ORDERED that Notewise Investments LLC d/b/a Tax Loans Texas:

13. comply with, and cease and desist from violating, the reporting requirements set forth in Section 351.164 of the Texas Finance Code and Title 7, Section 89.404 of the Texas Administrative Code;
14. file its 2018 annual report within 30 days of service of this Order, if it has not already done so; and
15. timely file complete and accurate future annual reports; specifically, its 2019 annual report no later than March 31, 2020, its 2020 annual report no later than March 31, 2021, and its 2021 annual report no later than March 31, 2022.

Property tax lender annual reports must be submitted through the OCCC's Application Licensing Examination and Compliance System (ALECS): [alecs.occ.texas.gov](http://alecs.occ.texas.gov). Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, [occ.texas.gov](http://occ.texas.gov).

### **Violation of Order**

Tax Loans Texas may be assessed an administrative penalty of up to \$1,000 per day if it violates this Order.<sup>6</sup> Multiple violations may also result in the suspension or revocation of your license.<sup>7</sup>

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<sup>5</sup> Tex. Fin. Code § 14.208.

<sup>6</sup> Tex. Fin. Code § 14.208(c).

<sup>7</sup> Tex. Fin. Code § 351.156.

## Right to Request Hearing

You have the right to request a hearing regarding this Order.<sup>8</sup> 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:

Matthew Nance  
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.<sup>9</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>10</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 24th day of April, 2019.

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

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<sup>8</sup> Tex. Fin. Code § 14.208(b).

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

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

## CERTIFICATE OF SERVICE

I certify that on the 24th day of April, 2019, a true and correct copy of this Injunctive Order to File Timely and Accurate Annual Reports has been sent to Notewise Investments LLC d/b/a Tax Loans Texas by regular mail and certified mail, return receipt requested, at:

CMRRR # 91 7199 9991 7036 0790 5265  
Notewise Investments LLC d/b/a Tax Loans Texas  
Attn: John Meager, Compliance Officer  
2326 W. Walnut  
Garland, TX 75042

CMRRR # 91 7199 9991 7036 0790 5272  
Notewise Investments LLC d/b/a Tax Loans Texas  
Attn: Teresa West, Registered Agent  
3610 Glenbrook  
Garland, TX 75041

/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  
(512) 936-7610 (fax)  
matthew.nance@occc.texas.gov