

OCCC CASE NO. L19-00291

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 1800061564	§	OFFICE OF CONSUMER
YOLANDA BUSTILLOS NAVA	§	
D/B/A GASTELUM JR AUTO SALES	§	CREDIT COMMISSIONER
270 N. NEVAREZ RD	§	
EL PASO, TEXAS 79927	§	STATE OF TEXAS

AGREED ORDER

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Yolanda Bustillos Nava d/b/a Gastelum Jr. Auto Sales (“Gastelum Jr. Auto Sales”) based on the violations of law described below.¹

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.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

On October 17, 2018, Gastelum Jr. Auto Sales submitted an application for a motor vehicle sales finance license under master file number 1800061564. The OCCC has not issued a license to Gastelum Jr. Auto Sales. Gastelum Jr. Auto Sales’s compliance officer is Yolanda Bustillos.

Beginning December 3, 2016, Gastelum Jr. Auto Sales engaged in activity requiring a license by entering 26 motor vehicle retail installment contracts. Gastelum Jr. Auto Sales 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.

¹ Tex. Fin. Code §§ 14.208, 14.251.

² Tex. Fin. Code § 348.501.

³ Tex. Fin. Code § 348.001(3), (7), (8).

Order & Agreement

By signing below, Gastelum Jr. Auto Sales 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 Yolanda Bustillos Nava d/b/a Gastelum Jr. Auto Sales:

1. No later than August 16, 2019, pay an administrative penalty of **Two Thousand Six Hundred Dollars (\$2,600.00)** 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.⁴ During your first examination the OCCC will confirm that all refunds listed in the spreadsheet have been made.

Signed this 30th day of July, 2019.

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

AGREED:

Yolanda Bustillos Nava d/b/a Gastelum Jr. Auto Sales

/s/ Yolanda Bustillos Nava
Yolanda Bustillos Nava, Owner
(signed electronically by permission)

⁴ 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 Yolanda Bustillos Nava d/b/a Gastelum Jr. Auto Sales by the following methods:

Yolanda Bustillos Nava
d/b/a Gastelum Jr. Auto Sales
Attn: Yolanda Bustillos Nava,
Compliance Officer
270 N Nevarez Rd.
El Paso, Texas 79927
yolandabusnav@gmail.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
91 7199 9991 7038 3510 6618

Yolanda Bustillos Nava
d/b/a Gastelum Jr. Auto Sales
Attn: Fidel Gastelum, Registered Agent
224 N. Moon Rd.
El Paso, Texas 79927
fidelgastelum579@gmail.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
91 7199 9991 7038 3510 6625

/s/ Laurie B. Hobbs
Laurie B. Hobbs
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Office of Consumer Credit Commissioner
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