

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1400031601	§	OFFICE OF CONSUMER
MORRISON AUTO GROUP, INC.	§	
932 E JEFFERSON BLVD	§	CREDIT COMMISSIONER
DALLAS, TEXAS 775203	§	
	§	STATE OF TEXAS
	§	

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Morrison Auto Group, Inc. (“Morrison Auto Group”).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

Morrison Auto Group is a motor vehicle dealer that does not currently hold a license with the OCCC. Morrison Auto Group is located at 932 East Jefferson Boulevard, Dallas, Texas 75203. In April 2019, Morrison Auto Group submitted a motor vehicle sales finance license application to the OCCC under master file number 1400031601 and application ID number 47993. The OCCC denied this license application due to Morrison Auto Group’s failure to respond to requests for required information.

On January 7, 2020, the OCCC issued an Order to Cease and Desist, to Take Affirmative Action, and to Make Restitution (the “Order”) against Morrison Auto Group for violating Chapter 348 of the Texas Finance Code by engaging in unlicensed motor vehicle sales finance activity. The Order required Morrison Auto Group to:

1. comply with the motor vehicle sales finance license requirement

¹ Tex. Fin. Code § 14.208(a), (c).

² Tex. Fin. Code § 348.501.

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

- found in Section 348.501 of the Texas Finance Code;
2. cease advertising or entering into new transactions where Morrison Auto Group agrees to accept the cash price of a motor vehicle in one or more deferred installments;
 3. cease and desist collecting payments on existing transactions requiring a motor vehicle sales finance license;
 4. review all motor vehicle sales transactions from to identify each retail installment transaction in which it acted as a holder without a license under Chapter 348;
 5. no later than February 21, 2020, refund all finance charges that it collected or that remain collectible in the transactions identified above;
 6. no later than February 21, 2020, release any liens on vehicles in Morrison Auto Group's name;
 7. no later than February 21, 2020 identify retail installment transactions that Morrison Auto Group assigned to another creditor;
 8. no later than February 21, 2020, provide the OCCC with a spreadsheet of all transactions it identified and all buyers that it gave a refund; and
 9. maintain complete and accurate records of all refunds for the required retention period.

Morrison Auto Group did not request a hearing on the Order, and the Order became final and enforceable.⁴ Morrison Auto Group has not provided the OCCC with a spreadsheet listing transactions and refunds, as required by the Order.

Authority

If the 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.⁵ The Commissioner may impose an administrative penalty against a person who violates an order, in an amount up to \$1,000.00 per day of violation.⁶

Morrison Auto Group has violated the OCCC's Order by failing to provide required information regarding transactions and refunds.

⁴ Tex. Fin. Code § 14.208(c).

⁵ Tex. Fin. Code § 14.208(a).

⁶ Tex. Fin. Code § 14.208(c).

Order

IT IS ORDERED that Morrison Auto Group, Inc.:

1. **no later than August 7, 2020**, pay an administrative penalty in the amount of **\$10,000.00**; and
2. **no later than August 7, 2020**, take all actions required by the OCCC's Order to Cease and Desist, to Take Affirmative Action, and to Make Restitution, issued against Morrison Auto Group on January 7, 2020.

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁷ Your request must be made in writing and sent to the OCCC not later than 30 days after each party receives this Order. You must send your request to:

Audrey Spalding
Assistant General Counsel
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.⁸ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.⁹

All communications with the OCCC concerning this matter must be through Audrey Spalding, 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 audrey.spalding@occc.texas.gov.

Signed this 23rd day of June, 2020.

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

⁷ Tex. Fin. Code § 14.208(b).

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on June 23, 2020 a true and correct copy of this Order Imposing Administrative Penalty has been sent to:

Morrison Auto Group, Inc.
Attn: Sydelle N. Toney, Compliance Officer
932 E Jefferson Blvd
Dallas, TX 75203
sydelletony@yahoo.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested# 9214 8901 9403 8300 0014 9248 65

Morrison Auto Group, Inc.
Attn: Sydelle N. Toney,
Registered Agent
1714 Chadwick Court
Cedar Hill, Texas 75104

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested # 9214 8901 9403 8300 0014 9248 72

/s/Audrey Spalding
Audrey Spalding
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