

OCCC CASE NO. L20-00160

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 2000066816	§	OFFICE OF CONSUMER
CHRIS MILNER PAINT AND BODY,	§	
LLC	§	CREDIT COMMISSIONER
2320 WILBARGER	§	
VERNON, TX 76384	§	STATE OF TEXAS

AGREED ORDER

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Chris Milner Paint and Body, LLC (“Milner Paint and Body”) based on the violations of law described below.¹

Statement of Facts and Law

Chris Milner Paint and Body is a motor vehicle dealer that does not currently hold a license with the OCCC. Chris Milner Paint and Body is located at 2320 Wilbarger St., Vernon, Texas 76384. On June 1, 2020, Chris Milner Paint and Body submitted an application for a motor vehicle sales finance license under application ID 60368. The OCCC has not issued a license to Chris Milner Paint and Body. The owner of Chris Milner Paint and Body is Chris Milner.

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

Beginning March 16, 2020, Chris Milner Paint and Body engaged in activity requiring a license by entering six motor vehicle retail installment contracts. Chris Milner Paint and Body accepted the cash price of a vehicle 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, Chris Milner Paint and Body 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 Chris Milner Paint and Body, LLC:

1. No later than **September 25, 2020**, pay an administrative penalty of **Six Hundred Dollars (\$600.00)** to the Office of Consumer Credit Commissioner.
2. No later than **September 25, 2020**, 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 **September 25, 2020**, 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 27 day of August, 2020.

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

AGREED:

Chris Milner Paint and Body, LLC

/s/ Chris Milner
Chris Milner, Owner
(signed electronically with permission)

⁴ See 7 Tex. Admin. Code § 84.704(b), (g).

CERTIFICATE OF SERVICE

I certify that on August 27, 2020, a true and correct copy of this Agreed Order has been sent to Chris Milner Paint and Body, LLC by the following methods:

Chris Milner Paint and Body, LLC
Attn: Chris Milner, Compliance Officer
and Statutory Agent
2320 Wilbarger
Vernon, Texas 76384
teammilner@yahoo.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested

/s/Audrey Spalding
Audrey Spalding
Assistant General Counsel
Office of Consumer Credit
Commissioner
State Bar No. 24111055
2601 North Lamar Blvd.
Austin, Texas 78705
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