

OCCC CASE NO. L21-00119

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 16734	§	OFFICE OF CONSUMER
MIKE JACK ENTERPRISES, LLC	§	
D/B/A HOUSTON MOTORS	§	CREDIT COMMISSIONER
4235 S. MAIN	§	
STAFFORD, TX 77477	§	STATE OF TEXAS

AGREED ORDER

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against Mike Jack Enterprises, LLC d/b/a/ Houston Motors (“Houston Motors”) 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 May 9, 2012, the OCCC granted Houston Motors a motor vehicle sales finance license under master file number 16734, license number 63008. That license was cancelled on July 31, 2019. On March 27, 2020, Houston Motors submitted a new application for a motor vehicle sales finance license under application ID number 59542. Houston Motors’ compliance officer and owner is Michael Jackson.

Beginning September 3, 2019, Houston Motors engaged in activity requiring a license by entering 19 motor vehicle retail installment contracts. Houston Motors 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.

An applicant who has committed unlicensed activity and has failed to renew its license within 180 days of expiration may pay a late filing fee of

¹ Tex. Fin. Code §§ 14.208.

² Tex. Fin. Code § 348.501.

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

\$10,000.00.⁴ A license applicant who renews their license and pays a late filing fee is considered for all purposes to have held the license as though the license did not expire.⁵

On January 27, 2021, Houston Motors' motor vehicle sales finance application was denied. On April 15, 2021, the OCCC held a hearing at the State Office of Administrative Hearings ("SOAH") in front of an administrative law judge ("ALJ"). The ALJ recommended approving the license and allowing Houston Motors to make ten installment payments toward the late filing fee.

Order & Agreement

By signing below, Houston Motors waives all rights to any hearing or appeal, agrees to pay the late filing fee and late renewal fees in installments as identified below, and otherwise agrees to comply with this Order and Texas law.

IT IS ORDERED that:

1. Mike Jack Enterprises LLC d/b/a Houston Motors' motor vehicle sales license application is **GRANTED**.
2. No later than **September 1, 2021**, Houston Motors must pay an installment of **One Thousand and Four Hundred and Sixty Dollars (\$1,460.00)** to the Office of Consumer Credit Commissioner.
3. On the first day of each month beginning on **October 1, 2021** and ending on **June 1, 2022**, Houston Motors must pay an installment of **One Thousand Dollars (\$1,000.00)**.
4. Houston Motors must pay any applicable renewal fees at the time they are due in October 2021.
5. Houston Motors understands and agrees that if it fails to pay an installment or a renewal fee as described above, then its license may be revoked because:
 - a. Houston Motors failed to pay an amount imposed by this order,⁶

⁴ Tex. Fin. Code §§ 349.303, 349.304(c).

⁵ Tex. Fin. Code § 349.304(c).

⁶ Tex. Fin. Code § 348.508(1).

- b. Houston Motors violated this order,⁷ and
- c. Houston Motor's failure to pay these amounts is a fact or condition that clearly would have justified denial of the license application if its failure had been known at the time of the original application.⁸

Signed this 11th day of August, 2021.

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

AGREED:

Mike Jack Enterprises, LLC. d/b/a/ Houston Motors

/s/ Michael Jackson
Michael Jackson, Owner
(signed electronically with permission)

⁷ Tex. Fin. Code § 348.508(2).

⁸ Tex. Fin. Code § 348.508(3).

CERTIFICATE OF SERVICE

I certify that on August 11, 2021, a true and correct copy of this Agreed Order has been sent to Mike Jack Enterprises, LLC. d/b/a/ Houston Motors by the following methods:

Mike Jack Enterprises, LLC.
d/b/a/ Houston Motors
Attn: Michael Jackson, Compliance Officer
4235 S. Main
Stafford, Texas 77477
mike@houstonmotors.net

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
#9214 8901 9403 8300 0046 4790 50

Mike Jack Enterprises, LLC.
d/b/a/ Houston Motors
Attn: Michael Jackson,
Registered Agent
11569 HWY 6 S. Ste. 65
Sugar Land, Texas 77498

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested
#9214 8901 9403 8300 0046 4790 67

/s/Audrey Spalding _____
Audrey Spalding
Assistant General Counsel
Office of Consumer Credit
Commissioner
State Bar No. 24111055
2601 North Lamar Blvd.
Austin, Texas 78705
(512) 936-7659
audrey.spalding@occc.texas.gov