

## REQUIREMENTS WHEN FILING COMPLAINT

1. The complainant (person making the complaint) must, in good faith, make full, fair and honest disclosure of all facts and circumstances known to him/her at the time the complaint is made. The facts, as presented, must be in the form of an affidavit, and notarized or signed under oath. Said affidavit will form the basis of any further investigation and the charging instrument.
2. The complainant must appear in court to testify against the defendant if the charges are contested (the accused pleads not guilty and a trial is held).
3. If the defendant is found guilty, the maximum sentence that may be assessed in Municipal Court is a fine plus court costs and fees (no jail time). The defendant may appeal the case to a higher court.
4. The defendant may file a counter-complaint if the complainant has also been involved in some illegal activity. Please be advised that any statement made at this time or in the future to a prosecutor or other city investigative person may be used against you should the counter-complaint go forward to trial. Please be advised that when speaking to the prosecutor, that the prosecutor represents the state and no attorney-client relationship is established by any communications with regard to the application for complaint or any matters related thereto.
5. Once a case is filed, only a Municipal Court Judge, upon recommendation of a prosecutor, has the authority to dismiss the case.
6. The prosecutor reserves the right to subpoena the presence of the citizen-complainant and enforce the subpoena by ordering a peace officer to bring the citizen-complainant to court.

I have read and agree to the above requirements.

---

COMPLAINANT'S SIGNATURE  
(Person making the complaint)

---

DATE



## BORROWER COMPLAINT AFFIDAVIT

Borrower Information		Payday / Auto Title Lender Information	
Name		Business	
Address		Address	
City, State		City, State	
Zip		Zip	
Telephone		Telephone	
Fax		Fax	
Email Address		Email Address	

The undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:

**Complaint:** (Attach as many additional pages as may be needed to fully, fairly and honestly relate all material facts and circumstances.)

---



---



---



---



---



---



---

### Additional Information Requested

- |  |   |
|--|---|
| <p>1. Is/was the loan a payday loan or an auto title loan?<br/> <input type="checkbox"/> <b>Payday</b>   <input type="checkbox"/> <b>Auto title</b></p> <p>1a. If the loan was an auto title loan, what retail value was provided to you? \$ _____</p> <p>1b. What is the year, make and model of the auto for which the auto title loan was made? I.e. 2009 Toyota Corolla.</p> <p><b>Year</b> _____</p> <p><b>Make</b> _____</p> <p><b>Model</b> _____</p> | <p>2. Was/is the loan an installment agreement (more than one payment) or a lump sum loan agreement(one time payment)?<br/> <input type="checkbox"/> <b>Installment</b>   <input type="checkbox"/> <b>Lump Sum</b></p> <p>3. If the loan was/is an installment agreement, how many installments (renewals/refinances) have you signed?<br/> <input type="checkbox"/> <b>1</b>   <input type="checkbox"/> <b>2</b>   <input type="checkbox"/> <b>3</b>   <input type="checkbox"/> <b>4</b>   <input type="checkbox"/> <b>5</b>   <input type="checkbox"/> <b>6 or more</b></p> |
|--|---|

4. What date did you first take out the loan? _____	5. What is the date you signed your most recent loan? _____
6. What was the original amount borrowed? \$ _____	7. How much do you currently owe? \$ _____
8. What type of income verification did the borrower provide to the lender?  <input type="checkbox"/> Pay check <input type="checkbox"/> IRS form W-2 <input type="checkbox"/> Previous year's tax return <input type="checkbox"/> A signed letter from an employer  <input type="checkbox"/> Or other similar documentation, please specify _____	
9. What is the payment amount on the loan (amount due each period)?      \$ _____	
10. What is your gross income?    Monthly \$ _____    Annually \$ _____	
11. Did you receive a REFERRAL FORM or was some form of DISCLOSURE discussed with you to inform you about the COST of the loan? <input type="checkbox"/> No disclosure or discussion <input type="checkbox"/> Yes other disclosure or discussion <input type="checkbox"/> No referral form <input type="checkbox"/> Yes referral form <input type="checkbox"/> Yes cost information <input type="checkbox"/> Yes credit counseling	
12. Related to the loan, check all that apply/have occurred? <input type="checkbox"/> Threatened with criminal charges <input type="checkbox"/> Threatened with car repossession <input type="checkbox"/> Car repossessed <input type="checkbox"/> Harassing phone calls about the loan	
<b>13. Please send of copies of all loan documents, including fliers or disclosures, referral forms or other information you have received from the lender.</b>	

**Statement of oath**

I affirm/swear that the statement(s) made herein are within my personal knowledge and are true and correct.

Sworn to me this the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_.

_____ Printed Name of Person Making Complaint (the Affiant)	_____ Deputy Court Clerk OR NOTARY Public of the State of Texas
_____ Signature of Person Making Complaint (the Affiant)	My Commission Expires: _____
_____ Date Submitted	

**Demographic Data (OPTIONAL and used for statistical purposes only.)**

<b>Race</b>	(Please mark one box) <input type="checkbox"/> <b>Black/African American</b> <input type="checkbox"/> <b>American Indian/Alaska Native</b> <input type="checkbox"/> <b>Native Hawaiian/Pacific Islander</b> <input type="checkbox"/> <b>White</b> <input type="checkbox"/> <b>Asia</b> <input type="checkbox"/> <b>Other</b>
	<input type="checkbox"/> <b>Hispanic</b> <input type="checkbox"/> <b>Non Hispanic</b>
<b>Ethnicity</b>	
<b>Sex</b>	<input type="checkbox"/> <b>Male</b> <input type="checkbox"/> <b>Female</b>

**Internal Use Only**

Complaint Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

Attendees: \_\_\_\_\_

Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

---

**DO NOT WRITE BELOW THIS LINE**

Reviewed by: \_\_\_\_\_ (Prosecutor/Investigator)

File Charge:    Yes    No

Charged Offense/Offense Number: \_\_\_\_\_

On this, the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ . I hereby acknowledge that I have examined the foregoing affidavit and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.

---

Magistrate, Municipal Court, Austin, Texas