

**CREDIT UNION DEPARTMENT
STATE OF TEXAS**

IN THE MATTER OF:) No. 20-013-CUD
)
Susanna Guajardo) **PROHIBITION ORDER**
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)

The Credit Union Commissioner of the State of Texas (“Commissioner”) has determined that Susanna Guajardo, while employed at Space City Credit Union (SCCU), intentionally committed or participated in one or more criminal acts with the intent to injure or defraud SCCU. In December 11, 2019, Susanna Guajardo was sentenced on the charges of Embezzlement, 18 U.S.C. § 657, and Aiding and Abetting, 18 U.S.C. § 2, charges to which she previously pleaded guilty, in the U.S. District Court for the Southern District of Texas, in connection with her employment at Space City Credit Union.

Based on the sentencing, the Commissioner has made a Determination of Misconduct in accordance with TEX. FINANCE CODE § 122.255, specifically, that Susanna Guajardo willfully neglected to perform her duty, committed a breach of trust, breached her fiduciary duty to the credit union and its members, committed fraudulent or questionable practices in the conduct of credit union business that endangers the credit union’s reputation or threatens its solvency, conducted the credit union’s business in an unsafe, unauthorized, or unlawful manner, and committed a criminal act that is a substantial detriment to the reputation and conduct of credit union business.

Based on this finding of misconduct, the Commissioner has determined that this Prohibition Order is necessary to prevent immediate or irreparable harm to the public or a credit union or its depositors, creditors, or members.

Susanna Guajardo has violated the following laws, rules, or regulations:

- 18 U.S.C. § 657 Embezzlement;
- 18 U.S.C. § 2 Aiding and Abetting; and;

TEX. FINANCE CODE § 122.255(1), (3), (4), (7) and (11).

Susanna Guajardo's violations have resulted in financial harm to SCCU.

Therefore, in accordance with TEX. FINANCE CODE § 122.258, the Commissioner issues the following:

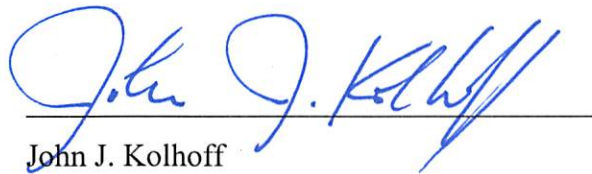
PROHIBITION ORDER

IT IS HEREBY ORDERED that Susanna Guajardo may no longer hold office in, be employed by, or participate in the affairs of a Texas state-chartered credit union. Accordingly, Susanna Guajardo has no further right, duty, or authority of office or employment in a Texas state-chartered credit union.

The provisions of this ORDER shall be binding upon all Texas state-chartered credit unions, their directors, officers, employees, agents, and other persons participating in the conduct of the affairs of any Texas state-chartered credit union.

This ORDER shall be effective immediately and remain effective and enforceable until such time it is rescinded.

SO ORDERED this 18th day of February 2020



John J. Kolhoff

Commissioner

NOTICE OF CONFIDENTIALITY

Section 122.261 of the TEXAS FINANCE CODE generally requires confidentiality of Department orders, documents, and records related thereto. However, this section permits the Commissioner to release information regarding the existence of a final order to the public if the Commissioner concludes that the release would enhance effective enforcement of the order.

NOTICE OF PENALTY

Pursuant to Section 122.260 of the TEXAS FINANCE CODE, if a credit union or other person designated in a final order does not comply with the order, the Commissioner, after giving notice, may assess an administrative penalty against the credit union, the designated person, or both, in an amount of not less than \$100 or more than \$10,000 each for each day of the violation of the order. The credit union may not reimburse or indemnify a person for any part of the administrative penalty. The Commissioner may bring suit for injunction or to collect the administrative penalty in a district court of Travis County, in the State of Texas.

NOTICE OF OPPORTUNITY FOR HEARING

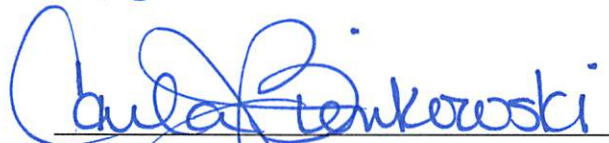
Susanna Guajardo and SCCU are advised that under 7 TEX. ADMIN. CODE § 93.401, this order is final, unless within ten (10) days after service of the order, the person removed or the credit union files with the Commissioner a written notice of appeal, requesting a hearing before the State Office of Administrative Hearings. The filing of an appeal does not suspend a removal order, including a prohibition order, pursuant to Section 122.259 of the TEXAS FINANCE CODE. A written request to stay the effectiveness of part or all of the order until the appeal is heard must be made in accordance with 7 TEX. ADMIN. CODE § 93.402.

ORIGINAL of the foregoing filed this 18th day of February, 2020, in the office of:

John J. Kolhoff
Commissioner
Credit Union Department
State of Texas
914 East Anderson Lane
Austin, Texas 78752-1699

CERTIFICATE OF SERVICE

I certify that true and correct copies of the foregoing Prohibition Order has been sent by United States First Class Mail and by Certified Mail, return receipt requested article number **7005 1160 0000 0843 4670**, to Susanna Guajardo, located at 3803 Houston Lake Dr., Pearland, Texas 77506, the most recent address of record known to the Department on this 18th day of February, 2020.



Carla J. Bienkowski, Legal Assistant
Credit Union Department
State of Texas