

OCCC CASE NO. L22-00097

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 607	§	OFFICE OF CONSUMER
HOLIDAY FINANCE CORP.	§	
14414 US HWY. 87 W., SUITE 3D	§	CREDIT COMMISSIONER
LA VERNIA, TEXAS 78121	§	
	§	STATE OF TEXAS

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Holiday Finance Corp. (“Holiday Finance”).<sup>1</sup>

**Statement of Facts and Law**

Holiday Finance is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. Holiday Finance operates under master file number 607 at multiple licensed locations, under license numbers 2425, 2330, 2230, 3911, 8399, 11302, and 11303. Holiday Finance’s compliance officer is Luke McClanahan, and its designated contact address is 14414 US Hwy. 87 W., Suite 3D, La Vernia, Texas, 78121.

A regulated lender must file annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> A regulated lender must comply with all instructions from the OCCC relating to submitting the report.<sup>3</sup> The report is due by May 1 of each year for the prior calendar year’s loan activity.<sup>4</sup>

On October 12, 2020, the OCCC issued an Order to File Timely and Accurate Annual Reports against Holiday Finance for failing to timely file its 2019 annual report. Holiday Finance did not request a hearing on the Order, and the Order became final and enforceable. The Order required Holiday Finance to timely file complete and accurate future reports.

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code § 342.559; 7 Tex. Admin. Code § 83.835.

<sup>3</sup> 7 Tex. Admin. Code § 83.835.

<sup>4</sup> Tex. Fin. Code § 342.559; 7 Tex. Admin. Code § 83.835; [https://occc.texas.gov/industry/regulated-lenders/annual\\_reports](https://occc.texas.gov/industry/regulated-lenders/annual_reports)

Holiday Finance did not file its 2021 annual report with the Commissioner on or before May 1, 2022.

The Commissioner may issue an injunction ordering a regulated lender to file one or more complete, accurate, and timely annual reports if the Commissioner has reasonable cause to believe that the regulated lender is violating Chapter 342 of the Texas Finance Code.<sup>5</sup> The Commissioner may impose an administrative penalty on a regulated lender that violates an injunction.<sup>6</sup>

By failing to timely file its 2021 annual report, Holiday Finance has violated Chapter 342 of the Texas Finance Code and the OCCC's Order to File Timely and Accurate Annual Reports.

## **Order**

IT IS ORDERED that Holiday Finance Corp.:

1. pay an administrative penalty in the amount of \$3,500.00 (calculated as \$500.00 each for Holiday Finance's seven licensed locations) within 30 days after the date of this Order; and
2. file its 2021 annual report within 30 days after the date of this Order, if it has not already done so.

Regulated lender annual reports must be submitted through the OCCC's Application Licensing Examination and Compliance System (ALECS): [alecs.occ.texas.gov](http://alecs.occ.texas.gov). Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, [occ.texas.gov](http://occ.texas.gov).

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<sup>5</sup> Tex. Fin. Code § 14.208.

<sup>6</sup> Tex. Fin. Code § 14.208(c).

## Right to Request Hearing

You have the right to request a hearing regarding this Order.<sup>7</sup> To request a hearing, you must send a written hearing request to the OCCC no later than 30 days after the date of this Order.<sup>8</sup> You must send your request to Matthew Nance, Deputy General Counsel, by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or by email to [matthew.nance@occc.texas.gov](mailto:matthew.nance@occc.texas.gov).

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.<sup>9</sup> If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.<sup>10</sup>

All communications with the OCCC concerning this matter must be through Matthew Nance, Deputy General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at 512-936-7660, or by email at [matthew.nance@occc.texas.gov](mailto:matthew.nance@occc.texas.gov).

Signed this 7th day of September, 2022.

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

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<sup>7</sup> Tex. Fin. Code § 14.208(b).

<sup>8</sup> Tex. Fin. Code § 14.208(b).

<sup>9</sup> Tex. Fin. Code § 14.208(b).

<sup>10</sup> Tex. Fin. Code § 14.208(c).

## CERTIFICATE OF SERVICE

I certify that on September 7, 2022, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Holiday Finance Corp. by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0086 9269 72  
Holiday Finance Corp.  
Attn: Luke McClanahan, Compliance Officer  
14414 US Hwy. 87 W., Suite 3D  
La Vernia, TX 78121

CMRRR # 9214 8901 9403 8300 0086 9269 89  
Holiday Finance Corp.  
Attn: Atticus Radinsky, Registered Agent  
14414 US Hwy. 87 W., Suite 3D  
La Vernia, TX 78121

/s/ Matthew Nance  
Matthew J. Nance  
Deputy General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24074794  
2601 North Lamar Blvd.  
Austin, Texas 78705  
512-936-7660 (phone)  
matthew.nance@occc.texas.gov