

OCCC CASE NO. L22-00107

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1500053191	§	OFFICE OF CONSUMER
LEND STREET FINANCIAL, INC.	§	
610 16TH STREET, SUITE 520	§	CREDIT COMMISSIONER
OAKLAND, CALIFORNIA 94612	§	
	§	STATE OF TEXAS

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Lend Street Financial, Inc. (“Lend Street Financial”).<sup>1</sup>

**Statement of Facts and Law**

Lend Street Financial is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. Lend Street Financial operates under master file number 1500053191 at one licensed location, under license number 153948. Lend Street Financial’s compliance officer is Shayne Smith, and its designated contact address is 610 16th Street, Suite 520, Oakland, California, 94612.

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 August 21, 2019, the OCCC issued an Order to File Timely and Accurate Annual Reports against Lend Street Financial for failing to timely file its 2018 annual report. Lend Street Financial did not request a hearing on the Order, and the Order became final and enforceable. The Order required Lend Street Financial 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)

Lend Street Financial 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, Lend Street Financial 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 Lend Street Financial, Inc.:

1. pay an administrative penalty in the amount of \$1,000.00 (calculated as \$1,000.00 each for Lend Street Financial's one licensed location) 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 Lend Street Financial, Inc. by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0086 9271 60  
Lend Street Financial, Inc.  
Attn: Shayne Smith, Compliance Officer  
610 16th Street, Suite 520  
Oakland, CA 94612

CMRRR # 9214 8901 9403 8300 0086 9271 77  
Lend Street Financial, Inc.  
Attn: Incorp, Registered Agent  
815 Brazos Street, Ste. 500  
Austin, TX 78701

/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