

OCCC CASE NO. L23-00013

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 16870	§	OFFICE OF CONSUMER
OLD TOWN TRADING LLC	§	
P.O. BOX 2066	§	CREDIT COMMISSIONER
MALAKOFF, TEXAS 75148	§	
	§	STATE OF TEXAS

ORDER TO FILE TIMELY AND ACCURATE ANNUAL REPORTS

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Annual Reports against Old Town Trading LLC (“Old Town Trading”).¹

Statement of Facts and Law

Old Town Trading is a pawnshop licensed by the OCCC under Chapter 371 of the Texas Finance Code. Old Town Trading operates under master file number 16870 at one licensed location, under license number 63266. Old Town Trading’s compliance officer is Todd Lunceford, and its designated contact address is P.O. Box 2066, Malakoff, Texas 75148.

A pawnshop must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² A pawnshop must comply with all instructions from the OCCC relating to submitting the report, and must file a report for each licensed location.³ The report is due by July 31 of each year for the prior calendar year’s activity.⁴

Old Town Trading did not file its 2021 annual report by July 31, 2022, for one licensed location, under license number 63266.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502.

³ 7 Tex. Admin. Code § 85.502.

⁴ 7 Tex. Admin. Code § 85.502; <https://occc.texas.gov/industry/pawnshops-and-pawn-employees/annual-reports>

The Commissioner may issue an injunction ordering a pawnshop to file one or more complete, accurate, and timely annual reports if the Commissioner has reasonable cause to believe that the pawnshop is violating Chapter 371 of the Texas Finance Code.⁵

The Commissioner has reasonable cause to believe that Old Town Trading is violating Chapter 371 of the Texas Finance Code, and therefore issues this Order, because Old Town Trading failed to timely file its 2021 annual report.

Order

IT IS ORDERED that Old Town Trading LLC:

1. comply with, and cease and desist from violating, the reporting requirements set forth in 371.201 of the Texas Finance Code and Title 7, Section 85.502 of the Texas Administrative Code;
2. file its 2021 annual report within 30 days of the date of this Order, if it has not already done so; and
3. timely file complete and accurate future annual reports.

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

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 for each day.⁶ Multiple violations may also result in the suspension or revocation of your license.⁷

⁵ Tex. Fin. Code § 14.208, 371.302(a).

⁶ Tex. Fin. Code § 14.208(c), 371.303; 7 Tex. Admin. Code § 85.604(b).

⁷ Tex. Fin. Code § 371.251; 7 Tex. Admin. Code § 85.604(b).

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁸ 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.⁹ You must send your request to Audrey Spalding, Assistant General Counsel, by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or by email to audrey.spalding@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.¹⁰ If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.¹¹

All communications with the OCCC concerning this matter must be through Audrey Spalding, Assistant General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at 512-936-7659, or by email at audrey.spalding@occc.texas.gov.

Signed this 7th day of October, 2022.

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

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(b).

¹⁰ Tex. Fin. Code § 14.208(b).

¹¹ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on October 7, 2022, a true and correct copy of this Order to File Timely and Accurate Annual Reports has been sent to Old Town Trading LLC by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0090 3921 45
Old Town Trading LLC
Attn: Todd Lunceford, Compliance Officer
P.O. Box 2066
Malakoff, TX 75148

CMRRR# 9214 8901 9403 8300 0090 3921 52
Old Town Trading LLC
Attn: Todd N. Lunceford, Registered Agent
P.O. Box 2066
Malakoff, TX 75148

/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 (phone)
audrey.spalding@occc.texas.gov