

OCCC CASE NO. L23-00035

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1500051983	§	OFFICE OF CONSUMER
CASH OUT TEXAS LLC	§	
d/b/a CASH OUT TEXAS	§	CREDIT COMMISSIONER
1810 N. ROBISON RD.	§	
TEXARKANA, TEXAS 75501	§	STATE OF TEXAS

**ORDER TO FILE TIMELY AND ACCURATE
QUARTERLY AND ANNUAL REPORTS**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Quarterly and Annual Reports against Cash Out Texas LLC d/b/a Cash Out Texas (“Cash Out Texas”).¹

Statement of Facts and Law

Cash Out Texas is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Cash Out Texas operates under master file number 1500051983 at two licensed locations, under license numbers 152635 and 152637. Cash Out Texas’s compliance officer is Lana Brush, and its designated contact address is 1810 N. Robison Rd. Texarkana, Texas 75501.

A credit access business must file quarterly and annual reports with the OCCC for all licensed locations.² All information on the reports must be accurate and calculated in accordance with the OCCC’s instructions.³ The reports are due by the following deadlines each year:⁴

- First quarter report: April 30
- Second quarter report: July 31
- Third quarter report: October 31
- Fourth quarter report and annual report: January 31

Cash Out Texas did not file its 2022 third quarter report with the Commissioner by the deadline of October 31, 2022.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code §§ 393.622, 393.627; 7 Tex. Admin. Code § 83.5001(a).

³ 7 Tex. Admin. Code § 83.5001(a).

⁴ 7 Tex. Admin. Code § 83.5001(b)(1); <https://occc.texas.gov/industry/cabs/reporting>

The Consumer Credit Commissioner (“Commissioner”) may issue an injunction ordering a credit access business to file one or more complete, accurate, and timely quarterly or annual reports if the Commissioner has reasonable cause to believe that the credit access business is violating Chapter 393 of the Texas Finance Code.⁵

The Commissioner has reasonable cause to believe that Cash Out Texas is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Cash Out Texas failed to timely file its 2022 third quarter report.

Order

IT IS ORDERED that Cash Out Texas LLC d/b/a Cash Out Texas:

1. comply with, and cease and desist from violating, the reporting requirements set forth in Section 393.627 of the Texas Finance Code and Title 7, Section 83.5001 of the Texas Administrative Code;
2. file its 2022 third quarter report for each licensed location no later than 30 days after the date of this Order, if it has not already done so; and
3. timely file complete and accurate future quarterly and annual reports.

Credit access business quarterly and 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 per day.⁶ Multiple violations may also result in the suspension or revocation of your license.⁷

⁵ Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

⁶ Tex. Fin. Code § 14.208(c); 7 Tex. Admin. Code § 83.5001(e)(2).

⁷ Tex. Fin. Code § 393.614; 7 Tex. Admin. Code § 83.5001(e)(3).

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁸ Your request must be made in writing and sent to the OCCC no later than 30 days after the date of this Order.⁹ You must send your request to Matthew Nance, Deputy General Counsel, by mail to 2601 N. Lamar Blvd., Austin, TX 78705, or by email to 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.¹⁰ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.¹¹

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, TX 78705, by telephone at 512-936-7660, or by email to matthew.nance@occc.texas.gov.

Signed this 9th day of January, 2023.

/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 January 9, 2023, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Cash Out Texas LLC d/b/a Cash Out Texas by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0099 1852 81
Cash Out Texas LLC
Attn: Lana Brush, Compliance Officer
1810 N. Robison Rd.
Texarkana, TX 75501

CMRRR # 9214 8901 9403 8300 0099 1857 17
Cash Out Texas LLC
Attn: Willie Garvin, Registered Agent
3 Treasure Hill
Texarkana, TX 75503

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