

OCCC CASE NO. L23-00046

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 2100069425	§	OFFICE OF CONSUMER
YES FINANCE TEXAS LLC	§	
901 MOPAC EXPY SOUTH,	§	CREDIT COMMISSIONER
BLDG 1, STE. 300	§	
AUSTIN, TEXAS 78746	§	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 Yes Finance Texas LLC (“Yes Finance”).<sup>1</sup>

**Statement of Facts and Law**

Yes Finance is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Yes Finance operates under master file number 2100069425 at one licensed location, under license number 167393. Yes Finance’s compliance officer is Anthony Delmonico, and its designated contact address is 901 Mopac Expy South, Bldg 1, Ste. 300 Austin, Texas 78746.

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

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

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<sup>1</sup> Tex. Fin. Code § 14.208.

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

<sup>3</sup> 7 Tex. Admin. Code § 83.5001(a).

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

Yes Finance did not file its 2022 annual report with the Commissioner by the deadline of January 31, 2023. 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.<sup>5</sup>

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

### **Order**

IT IS ORDERED that Yes Finance Texas LLC:

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 annual report 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](https://alecs.occ.texas.gov). Instructions are available by clicking the “File Annual Report” button on the OCCC’s home page, [occ.texas.gov](https://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.<sup>6</sup> Multiple violations may also result in the suspension or revocation of your license.<sup>7</sup>

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<sup>5</sup> Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

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

<sup>7</sup> 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.<sup>8</sup> Your request must be made in writing and sent to the OCCC no later than 30 days after the date of this Order.<sup>9</sup> You must send your request to Audrey Spalding, Assistant General Counsel, by mail to 2601 N. Lamar Blvd., Austin, TX 78705, or by email to [audrey.spalding@occc.texas.gov](mailto: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.<sup>10</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>11</sup>

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, TX 78705, by telephone at 512-936-7659, or by email to [audrey.spalding@occc.texas.gov](mailto:audrey.spalding@occc.texas.gov).

Signed this 17th day of April 2023.

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

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<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(b).

<sup>11</sup> Tex. Fin. Code § 14.208(c).

## CERTIFICATE OF SERVICE

I certify that on April 17, 2023, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Yes Finance Texas LLC by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0007 3406 89  
Yes Finance Texas LLC  
Attn: Anthony Delmonico, Compliance Officer  
901 Mopac Expy South, Bldg 1, Ste. 300  
Austin, TX 78746

CMRRR # 9214 8901 9403 8300 0007 3406 96  
Yes Finance Texas LLC  
Attn: Texan Registered Agent LLC, Registered Agent  
5900 Balcones Drive, #100  
Austin, TX 78731

/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