

OCCC CASE NO. L23-00067

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 16396	§	OFFICE OF CONSUMER
SWIFT CASH, LP D/B/A	§	
SWIFT CASH	§	CREDIT COMMISSIONER
3708 S. MEDFORD	§	
LUFKIN, TEXAS 75901	§	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 Swift Cash, LP d/b/a Swift Cash (“Swift Cash”).¹

Statement of Facts and Law

Swift Cash is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Swift Cash operates under master file number 16396 at multiple licensed locations, under license numbers 60558, 60559, 60561, 60562, 60565, and 60566. Swift Cash’s compliance officer is Terry Morgan, and its designated contact address is 3708 S. Medford, Lufkin, Texas 75901.

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:

- First quarter report: April 30
- Second quarter report: July 31
- Third quarter report: October 31
- Fourth quarter report and annual report: January 31.⁴

Swift Cash did not file its 2023 first quarter reports with the Commissioner by the deadline of April 30, 2023. The Consumer Credit Commissioner

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>

("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 Swift Cash is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Swift Cash failed to timely file its 2023 first quarter reports.

Order

IT IS ORDERED that Swift Cash, LP d/b/a Swift Cash:

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 2023 first quarter reports 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 Audrey Spalding, Assistant General Counsel, by mail to 2601 N. Lamar Blvd., Austin, TX 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 this deadline, this Order is 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, TX 78705, by telephone at 512-936-7659, or by email to audrey.spalding@occc.texas.gov.

Signed this 29th day of June 2023.

/s/ Leslie L. 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 June 29, 2023, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Swift Cash, LP d/b/a Swift Cash by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0019 1150 15
Swift Cash, LP
Attn: Terry Morgan, Compliance Officer
3708 S. Medford
Lufkin, TX 75901

CMRRR # 9214 8901 9403 8300 0019 1150 22
Swift Cash, LP
Attn: National Registered Agents Inc, Registered Agent
16055 Space Center, Suite 235
Houston, TX 77062

/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