

OCCC CASE NO. L23-00120

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 2200072813	§	OFFICE OF CONSUMER
FIRSTCHOICE LOAN LLC	§	
1654 US HWY. 359	§	CREDIT COMMISSIONER
MATHIS, TEXAS 78368	§	
	§	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 Annual Reports against FirstChoice Loan LLC (“FirstChoice Loan”).¹

Statement of Facts and Law

FirstChoice Loan is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. FirstChoice Loan operates under master file number 2200072813 at one licensed location, under license number 169712. FirstChoice Loan’s compliance officer is Terry Soto, and its designated contact address is 1654 US Hwy. 359, Mathis, Texas 78368.

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

FirstChoice Loan did not file its 2023 second quarter reports with the Commissioner by the deadline of July 31, 2023. The Consumer Credit Commissioner (“Commissioner”) may issue an injunction ordering a credit

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>

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 FirstChoice Loan is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because FirstChoice Loan failed to timely file its 2023 second quarter reports.

Order

IT IS ORDERED that FirstChoice Loan 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 2023 second 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 31st day of August 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 August 31, 2023, a true and correct copy of this Order to File Timely and Accurate Annual Reports has been sent to FirstChoice Loan LLC by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0027 2308 54
FirstChoice Loan LLC
Attn: Terry Soto, Compliance Officer
1654 US Hwy. 359
Mathis, TX 78368

CMRRR # 9214 8901 9403 8300 0027 2308 61
FirstChoice Loan LLC
Attn: FirstChoice Loan LLC, Registered Agent
1501 N. Hwy. 359, Ste. C
Mathis, Texas 78368

/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