

OCCC CASE NO. L24-00009

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1400051193	§	OFFICE OF CONSUMER
SMILEY'S LOAN DEPOT, LLC	§	
266 FM 247, SUITE C	§	CREDIT COMMISSIONER
HUNTSVILLE, TEXAS 77320	§	
	§	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 Smiley's Loan Depot, LLC ("Smiley's Loan Depot").<sup>1</sup>

**Statement of Facts and Law**

Smiley's Loan Depot is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Smiley's Loan Depot operates under master file number 1400051193 at one licensed location, under license number 151858. Smiley's Loan Depot's compliance officer is Siraj Ali, and its designated contact address is 266 FM 247, Suite C, Huntsville, Texas 77320.

Under Chapter 393 and its implementing rules, 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:

- First quarter report: April 30
- Second quarter report: July 31
- Third quarter report: October 31
- Fourth quarter report and annual report: January 31<sup>4</sup>

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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>

Smiley's Loan Depot did not file its 2023 third quarter report with the OCCC by the deadline of October 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 Smiley's Loan Depot is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Smiley's Loan Depot failed to timely file its 2023 third quarter report.

### **Order**

IT IS ORDERED that Smiley's Loan Depot, 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 third quarter 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](http://alecs.occ.texas.gov). Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, [occ.texas.gov](http://occ.texas.gov).

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

## **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>

## **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. You must send your request to Matthew Nance, General Counsel, by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or by email to [matthew.nance@occc.texas.gov](mailto: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.<sup>9</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>10</sup>

All communications with the OCCC concerning this matter must be through Matthew Nance, General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at 512-936-7660, or by email to [matthew.nance@occc.texas.gov](mailto:matthew.nance@occc.texas.gov).

Signed this 22nd day of January, 2024.

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

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<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).

<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(c).

## CERTIFICATE OF SERVICE

I certify that on January 22, 2024, a true and correct copy of this Order to File Timely and Accurate Annual Reports has been sent to Smiley's Loan Depot, LLC by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0042 5647 81

Smiley's Loan Depot, LLC  
Attn: Siraj Ali, Compliance Officer  
266 FM 247, Suite C  
Huntsville, TX 77320

CMRRR # 9214 8901 9403 8300 0042 5647 98

Smiley's Loan Depot, LLC  
Attn: Siraj S. Ali, Registered Agent  
14902 Mill Branch Lane  
Sugar Land, TX 77498

/s/ Matthew Nance \_\_\_\_\_

Matthew J. Nance  
General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24074794  
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