

OCCC CASE NO. L24-00045

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1600057016	§	OFFICE OF CONSUMER
BLUEKNIGHT FINANCIAL LLC	§	
14213 SUGAR HILL DR.	§	CREDIT COMMISSIONER
LITTLE ELM, TEXAS 75068	§	
	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against BlueKnight Financial LLC (“BlueKnight Financial”).¹

Statement of Facts and Law

BlueKnight Financial is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. BlueKnight Financial operates under master file number 1600057016 at one licensed location, under license number 156894. BlueKnight Financial’s compliance officer is Abbiton Mumba, and its designated contact address is 14213 Sugar Hill Dr., Little Elm, Texas, 75068.

Under Chapter 393 and its implementing rules, 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

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>.

On June 29, 2023, the OCCC issued an Order to File Timely and Accurate Quarterly and Annual Reports against BlueKnight Financial for failing to timely file its 2023 first quarter report. BlueKnight Financial did not request a hearing on the Order, and the Order became final and enforceable. The Order required BlueKnight Financial to timely file complete and accurate future quarterly and annual reports.

On January 22, 2024, the OCCC issued an Order Imposing Administrative Penalty against BlueKnight Financial for failing to timely file its 2023 third quarter report. BlueKnight Financial did not request a hearing on the Order, and the Order became final and enforceable. The Order required BlueKnight Financial to pay an administrative penalty of \$500.00 and timely file complete and accurate future quarterly and annual reports.

BlueKnight Financial did not file its 2023 annual report with the OCCC by the deadline of January 31, 2024.

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 may impose an administrative penalty on a credit access business that violates an injunction.⁶

By failing to timely file its 2023 annual report, BlueKnight Financial has violated Chapter 393 of the Texas Finance Code and the OCCC’s Order to File Timely and Accurate Quarterly and Annual Reports.

Order

IT IS ORDERED that BlueKnight Financial LLC:

1. pay an administrative penalty in the amount of **\$1,000.00** (calculated as \$1,000.00 each for BlueKnight Financial’s one licensed location that failed to file) no later than 30 days after the date of this Order; and

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

⁶ Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(2)-(3).

2. file its 2023 annual report no later than 30 days after the date of this Order, if it has not already done so.

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.

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁷ 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 Audrey Spalding, Assistant General Counsel, by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or by email to audrey.spalding@occ.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.⁸ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.⁹

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, Texas 78705, by telephone at 512-936-7659, or by email to audrey.spalding@occ.texas.gov.

Signed this 24th day of April, 2024.

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

⁷ Tex. Fin. Code § 14.208(b).

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on April 24, 2024, a true and correct copy of this Order Imposing Administrative Penalty has been sent to BlueKnight Financial LLC by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0057 4316 34
BlueKnight Financial LLC
Attn: Abbiton Mumba, Compliance Officer
14213 Sugar Hill Dr.
Little Elm, TX 75068

CMRRR # 9214 8901 9403 8300 0057 4316 41
BlueKnight Financial LLC
Attn: United States Corporation Agents Inc, Registered Agent
9900 Spectrum Drive
Austin, TX 78717

/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