

OCCC CASE NO. L25-058

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1600056891	§	OFFICE OF CONSUMER
BARRIENTOS ENTERPRISE d/b/a	§	
DEVOLADA PAYDAY & TITLE LOANS	§	CREDIT COMMISSIONER
2305 NORTH ARKANSAS AVE.	§	
LAREDO, TEXAS 78043	§	STATE OF TEXAS

ORDER OF REVOCATION

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order of Revocation against Barrientos Enterprise d/b/a Devolada Payday & Title Loans (“Devolada Payday & Title Loans”), based on the violations of law described below.¹

Statement of Facts and Law

Under Chapter 342 of the Texas Finance Code, a person must hold a regulated lender license issued by the OCCC in order to make, transact, or negotiate consumer loans at interest rates greater than 10%.²

Devolada Payday & Title Loans is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. Devolada Payday & Title Loans operates under master file number 1600056891 at one licensed location, under license number 170096. Devolada Payday & Title Loans’ compliance officer is Cristina Duran, and its designated contact address is 2305 North Arkansas Ave., Laredo, Texas 78043.

A regulated lender must maintain net assets of at least \$25,000 for each licensed location.³ Net assets are the total value of acceptable assets used or designated as readily available for use in the business, less liabilities (other than liabilities secured by unacceptable assets).⁴ Unacceptable assets include, but are not limited to, goodwill, unpaid stock subscriptions, lines of credit, notes receivable from an

¹ Tex. Fin. Code §§ 14.208, 342.156.

² Tex. Fin. Code §§ 342.005, 342.051.

³ Tex. Fin. Code § 342.153.

⁴ 7 Tex. Admin. Code § 83.301(1).

owner, property subject to the claim of homestead or other property exemption, and encumbered real or personal property to the extent of the encumbrance.⁵ Generally, assets are available for use if they are readily convertible to cash within 10 business days.⁶

Under Chapter 342 and its implementing rules, a regulated lender must file an annual report with the OCCC no later than May 1 of each year.⁷ The OCCC's reporting instructions require the annual report to list information about a regulated lender's net assets, including total assets and total liabilities. If a regulated lender is a corporation and the net assets on the annual report do not meet the net assets requirement, then the OCCC's reporting instructions require the lender to attach any current financial statement showing adequate net assets.

Devolada Payday & Title Loans did not file its 2023 annual report with the OCCC on or before May 1, 2024. On July 22, 2024, the OCCC issued an Order to File Timely and Accurate Annual Reports against Devolada Payday & Title Loans for failing to timely file its 2023 annual report.⁸ In response to this order, Devolada Payday and Title Loans provided an annual report that included a balance sheet listing zero dollars in total current assets. Devolada Payday & Title Loans did not provide documentation showing that the net assets requirement was met.

Based on Devolada Payday & Title Loans' failure to provide required information about net assets, the OCCC issued an Order to Maintain Minimum Net Assets against Devolada Payday & Title Loans on December 20, 2024.⁹ The order required Devolada Payday & Title Loans to comply with the net asset requirements for regulated lenders and to provide documentation of its compliance. Devolada Payday & Title Loans did not request a hearing on the order, and the Order became final and enforceable.

Devolada Payday & Title Loans failed to maintain minimum net assets required by Chapter 342 of the Texas Finance Code and its implementing rules. As of the date of this Order of Revocation, Devolada Payday & Title Loans has not provided the OCCC with documentation of its compliance with the minimum net asset requirement.

⁵ 7 Tex. Admin. Code § 83.301(1).

⁶ 7 Tex. Admin. Code § 83.301(1).

⁷ Tex. Fin. Code § 342.559; 7 Tex. Admin. Code § 83.835.

⁸ OCCC Case No. L24-00084.

⁹ OCCC Case No. L25-036.

Authority

If the Consumer Credit Commissioner (“Commissioner”) has reasonable cause to believe that a person is violating Chapter 342 of the Texas Finance Code, the Commissioner may issue an order to cease and desist from the violation, to take affirmative action, or both to ensure compliance.¹⁰

The Commissioner may revoke a regulated lender license if: (1) the license holder, knowingly or without exercise of due care, violates Chapter 342, a rule adopted under Chapter 342, or an order issued under Chapter 342; or (2) a fact or condition exists that, if it had existed or had been known to exist at the time of the original application for the license, clearly would have justified the Commissioner’s denial of the application.¹¹

By failing to maintain minimum net assets, Devolada Payday & Title Loans violated Chapter 342 of the Texas Finance Code and its implementing rules. By failing to provide documentation showing compliance with the net asset requirement, Devolada Payday & Title Loans violated the OCCC’s Order to Maintain Minimum Net Assets issued on December 20, 2024, and also violated the OCCC’s Order to File Timely and Accurate Annual Reports issued on July 22, 2024. By failing to timely file its 2023 annual report, Devolada Payday & Title Loans violated Chapter 342 and its implementing rules. These violations were committed knowingly or without exercise of due care. These violations would have justified denial of Devolada Payday & Title Loans’ original license application, if these violations had existed or been known to exist at the time of the license application.¹²

For these reasons, the Commissioner issues this Order of Revocation.

Order

IT IS ORDERED that:

1. The regulated lender license of Barrientos Enterprise d/b/a Devolada Payday & Title Loans, master file number 1600056891, license number 170096, is REVOKED.

¹⁰ Tex. Fin. Code § 14.208(a).

¹¹ Tex. Fin. Code § 342.156.

¹² Tex. Fin. Code § 342.104.

2. Devolada Payday & Title Loans must cease and desist making, transacting, or negotiating loans under Chapter 342 of the Texas Finance Code.
3. Devolada Payday & Title Loans must cease and desist contracting for, charging, or receiving, directly or indirectly, in connection with a loan under Chapter 342 of the Finance Code, any charge, including interest, compensation, consideration, or another expense.
4. Devolada Payday & Title Loans must cease and desist entering new motor vehicle retail installment transactions, if it has done so.
5. Devolada Payday & Title Loans must cease and desist collecting payments on motor vehicle retail installment transactions, if it has done so.
6. Devolada Payday & Title Loans must cease and desist repossessing collateral including motor vehicles and must cease and desist selling any collateral that it has repossessed.
7. **No later than 30 days after the date of this Order**, Devolada Payday & Title Loans must perform a self-review and identify each outstanding loan under Chapter 342 of the Texas Finance Code.
8. **No later than 30 days after the date of this Order**, for each outstanding loan under Chapter 342, Devolada Payday & Title Loans must do one of the following:
 - a. assign the loan to another person who holds a license under Chapter 342 or is otherwise authorized to make loans under Chapter 342; or
 - b. refund all interest on the loan down to an effective annual interest rate of 10%.
9. **No later than 30 days after the date of this Order**, Devolada Payday & Title Loans must perform a self-review and identify each outstanding motor vehicle retail installment transaction, including each sale of a motor vehicle for which Devolada Payday & Title Loans is accepting payments or holds a lien.
10. **No later than 30 days after the date of this Order**, for each outstanding regulated lender transaction, Devolada Payday & Title Loans must do one of the following:

- a. assign the transaction to another person who holds a license under Chapter 348 or is otherwise authorized to hold retail installment contracts under Chapter 348; or
 - b. cease collecting any payments and release any lien.
- 11. **No later than 30 days after the date of this Order**, Devolada Payday & Title Loans must create a spreadsheet labeled “L25-058BarrientosEnterprise.” The spreadsheet must list each transaction for which Devolada Payday & Title Loans provided refunds, each transaction for which Devolada Payday & Title Loans released a lien, and each transaction that Devolada Payday & Title Loans assigned to another person. The spreadsheet must include a row for each consumer and the following columns:
 - a. Account number
 - b. First and last name of consumer
 - c. Date of loan or retail installment transaction
 - d. Dollar amount of interest
 - e. Dollar amount of interest refunded to the consumer
 - f. Date of the refund
 - g. Date on which Devolada Payday & Title Loans released the lien, if applicable
 - h. Date of the release of lien
 - i. Name of any person that Devolada Payday & Title Loans assigned the transaction to, if applicable
- 12. **No later than 30 days after the date of this Order**, Devolada Payday & Title Loans must send a copy of the spreadsheet to the OCCC. The spreadsheet must be sent by email to Vivek Vedanarayanan at vivek.vedanarayanan@occc.texas.gov.
- 13. Devolada Payday & Title Loans must retain transaction records for each loan or other credit transaction, including copies of any refund checks and any ledgers showing account credits, until the later of the following:
 - a. the fourth anniversary of the date of the transaction; or
 - b. the second anniversary of the date on which the final entry is made in the record.

14. Devolada Payday & Title Loans must allow the OCCC to investigate its records to verify compliance with this Order. If the OCCC requests any information regarding a loan or credit transaction, Devolada Payday & Title Loans must provide the requested information within five days.

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 for each day.¹³

Right to Request Hearing

You have the right to request a hearing regarding this Order.¹⁴ To request a hearing, you must send a written hearing request to the OCCC no later than 30 days after the date of this Order.¹⁵ You must send your request to Vivek Vedanarayanan, Assistant General Counsel, by mail to 2601 N. Lamar Blvd., Austin, TX 78705, or by email to vivek.vedanarayanan@occc.texas.gov.

If you request a hearing, a hearing will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.¹⁶ If you fail to request a hearing by this deadline, the Order will be considered final and enforceable.¹⁷

All communications with the OCCC concerning this matter must be through Vivek Vedanarayanan, Assistant General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, TX 78705, by telephone at 512-936-7623, or by email to vivek.vedanarayanan@occc.texas.gov.

Signed this 7th day of May, 2025.

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

¹³ Tex. Fin. Code § 14.208(c).

¹⁴ Tex. Fin. Code §§ 14.208(b), 342.156.

¹⁵ Tex. Fin. Code §§ 14.208(b), 342.156.

¹⁶ Tex. Fin. Code §§ 14.208(b), 342.156.

¹⁷ Tex. Fin. Code §§ 14.208(b), 342.156.

CERTIFICATE OF SERVICE

I certify that on May 7, 2025, a true and correct copy of this Order of Revocation has been sent to Barrientos Enterprise d/b/a Devolada Payday & Title Loans by the following:

Barrientos Enterprise
Attn: Cristina Duran,
Compliance Officer
2305 North Arkansas Ave.
Laredo, TX 78043
devolada.cristina@gmail.com

- ☒ email
- ☐ eFileTexas.gov electronic service
- ☒ regular mail
- ☒ certified mail, return receipt requested
#9214 8901 9403 8300 0012 7609 77

Barrientos Enterprise
Attn: Cristina Duran,
Registered Agent
9002 Hubbard Hill
San Antonio, TX 78254
cdm7521@yahoo.com

- ☒ email
- ☐ eFileTexas.gov electronic service
- ☒ regular mail
- ☒ certified mail, return receipt requested
#9214 8901 9403 8300 0012 7609 84

/s/Vivek V. Vedanarayanan
Vivek V. Vedanarayanan
Assistant General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24127068
2601 N. Lamar Blvd.
Austin, TX 78705
512-936-7623 (phone)
vivek.vedanarayanan@occc.texas.gov