

OCCC CASE NO. L19-00314

|                           |   |                     |
|---------------------------|---|---------------------|
| IN THE MATTER OF:         | § | BEFORE THE          |
|                           | § |                     |
| MASTER FILE NO. 2162      | § | OFFICE OF CONSUMER  |
| CASH & GOLD PAWN LP       | § |                     |
| D/B/A ATLAS CASH & PAWN   | § | CREDIT COMMISSIONER |
| 113 E. MAIN ST.           | § |                     |
| MADISONVILLE, TEXAS 77864 | § | STATE OF TEXAS      |

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Cash & Gold Pawn LP d/b/a Atlas Cash & Pawn (“Atlas Cash & Pawn”) based on the violations of law described below.<sup>1</sup>

**Statement of Facts and Law**

A pawnbroker may not employ an individual to write pawn transactions, buy or sell merchandise, or supervise another employee who writes pawn transactions or buys or sells merchandise to a consumer unless the individual holds a pawnshop employee license or the individual applied for a license not later than the 75th day after beginning employment.<sup>2</sup> A pawnbroker is responsible for its employees in the conduct of the pawnshop business.<sup>3</sup>

Atlas Cash & Pawn is licensed by the OCCC as a pawnshop under Chapter 371 of the Texas Finance Code. Atlas Cash & Pawn operates under master file number 2162. Atlas Cash & Pawn’s compliance officer is Max Bhalli, and its designated contact address is 113 E. Main St., Madisonville, Texas 77864.

On May 12, 2017, the OCCC issued an Order to Cease and Desist against Atlas Cash & Pawn. The order required Atlas Cash & Pawn to cease and desist from employing an individual as a pawnshop employee for more than 75 days without the individual holding or applying for a pawnshop employee license. The order became final and enforceable on June 14, 2017.

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code § 371.101(c).

<sup>3</sup> 7 Tex. Admin. Code § 85.604(b)(9).

Attached to this Order as Exhibit A is a list of one or more individuals employed by Atlas Cash & Pawn. Atlas Cash & Pawn employed each individual as a pawnshop employee for more than 75 days without the individual holding or applying for a pawnshop employee license, in violation of Section 371.101(c) of the Texas Finance Code, and also in violation of the Order to Cease and Desist dated May 12, 2017.

## **Order**

IT IS ORDERED that Cash & Gold Pawn LP d/b/a Atlas Cash & Pawn pay an administrative penalty in the amount of **\$500.00** within 30 days of service of this Order.

## **Right to Request Hearing**

Atlas Cash & Pawn has the right to request a hearing regarding this Order.<sup>4</sup> A request must be made in writing and sent to the OCCC not later than 30 days after receiving this Order. The request must be sent to:

Michael Rigby  
Office of Consumer Credit Commissioner  
2601 N. Lamar Blvd.  
Austin, Texas 78705

If Atlas Cash & Pawn requests a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.<sup>5</sup> If Atlas Cash & Pawn does not request a hearing by the deadline, this Order is considered final and enforceable.<sup>6</sup>

All communications with the OCCC concerning this matter must be through Michael Rigby, General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7623, or by email to michael.rigby@occc.texas.gov.

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<sup>4</sup> Tex. Fin. Code § 14.208(b).

<sup>5</sup> Tex. Fin. Code § 14.208(b).

<sup>6</sup> Tex. Fin. Code § 14.208(c).

Signed this 10th day of June, 2019.

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

## CERTIFICATE OF SERVICE

I certify that on June 10, 2019, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Cash & Gold Pawn LP d/b/a Atlas Cash & Pawn by regular mail and certified mail, return receipt requested, at:

CMRRRR# 91 7199 9991 7036 0790 5494

Cash & Gold Pawn LP

ATTN: Max Bhalli, Compliance Officer and Registered Agent

113 E. Main St.

Madisonville, TX 77864

/s/Michael Rigby\_\_\_\_\_

Michael Rigby

General Counsel

Office of Consumer Credit Commissioner

State Bar No. 50511925

2601 North Lamar Blvd.

Austin, Texas 78705

(512) 936-7623

(512) 936-7610 (fax)

michael.rigby@occc.texas.gov

# EXHIBIT A

| <b>Applicant<br/>Name</b> | <b>License<br/>Number</b> | <b>License<br/>Status</b> | <b>Application<br/>Date</b> | <b>Days<br/>Employed<br/>Before<br/>Applying</b> |
|---------------------------|---------------------------|---------------------------|-----------------------------|--|
| Jesse Haire               | 1438596                   | Denied                    | 11/6/2018                   | 136  |
| Brandon Fultz             | 1440709                   | Active                    | 4/8/2019                    | 1169   |