

OCCC CASE NO. L19-00006

|                           |   |                     |
|---------------------------|---|---------------------|
| IN THE MATTER OF:         | § | BEFORE THE          |
|                           | § |                     |
| MASTER FILE NUMBER: 16524 | § | OFFICE OF CONSUMER  |
| Z CASH OF TEXAS INC.      | § |                     |
| d/b/a Z CASH              | § | CREDIT COMMISSIONER |
| 40 CYPRESS CREEK PKWY 342 | § |                     |
| HOUSTON, TEXAS 77090      | § | STATE OF TEXAS      |

**ORDER ASSESSING ADMINISTRATIVE PENALTY  
FOR VIOLATION OF INJUNCTIVE ORDER**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Assessing Administrative Penalty for Violation of Injunctive Order against Z Cash of Texas Inc. d/b/a Z Cash (“Z Cash”).<sup>1</sup>

**Statement of Facts and Law**

Z Cash is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Z Cash operates under master file number 16524 at one licensed location, under license number 62592. Z Cash’s compliance officer is Ed Tijerina, and its designated contact address is 40 Cypress Creek Pkwy 342, Houston, Texas 77090.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.<sup>3</sup> A credit access business must submit its quarterly and annual reports on or before the following dates:

- 1st quarter report – April 30;
- 2nd quarter report – July 31;
- 3rd quarter report – October 31; and
- 4th quarter and annual report – January 31.<sup>4</sup>

If a credit access business fails to timely and accurately file its quarterly or annual reports within four quarters of its first offense of failing to timely or

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<sup>1</sup> Tex. Fin. Code § 14.208(c).

<sup>2</sup> Tex. Fin. Code § 393.627.

<sup>3</sup> 7 Tex. Admin. Code § 83.5001(a).

<sup>4</sup> 7 Tex. Admin. Code § 83.5001.

accurately file a previous report, the OCCC may assess an administrative penalty of \$500.00 for each licensed location.<sup>5</sup> The OCCC may assess an administrative penalty of \$1,000.00 for each licensed location for a third or subsequent offense within 4 quarters of a previous offense.<sup>6</sup> Four or more offenses within 4 quarters of a previous offense may result in license revocation.<sup>7</sup>

On July 21, 2017, the OCCC issued an Order to File Timely and Accurate Quarterly and Annual Reports against Z Cash for failing to file its Q1 2017 quarter report. On September 22, 2017, the OCCC issued an Order Assessing Administrative Penalty for Violation of Injunction against Z Cash for failing to file its 2017 2nd quarter report.

Z Cash submitted its 2018 2nd quarter report to the OCCC. Upon review, the data in the reports was found to be inaccurate. In correspondence dated August 10, 2018 the OCCC notified Z Cash of the errors in its reports and provided an opportunity for Z Cash to resubmit corrected data by August 23, 2018. As of the date of this order, Z Cash has failed to submit its corrected report. Additionally, Z Cash did not timely and accurately file one or more of its reports within the four quarters preceding the 2018 2nd quarter report.

## **Order**

IT IS ORDERED that Z Cash of Texas Inc. d/b/a Z Cash:

1. pay an administrative penalty in the amount of **\$1000.00**, calculated as \$1,000.00 each for Z Cash's one licensed location, within 30 days of service of this Order; and
2. file its corrected 2018 2nd quarter report within 30 days of service of this Order, if it has not already done so.

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<sup>5</sup> 7 Tex. Admin. Code § 83.5001(e)(2)(B).

<sup>6</sup> 7 Tex. Admin. Code § 83.5001(e)(2)(C).

<sup>7</sup> 7 Tex. Admin. Code § 83.5001(e)(3).

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). A check made payable to 'Office of Consumer Credit Commissioner' may be mailed to 2601 N. Lamar Blvd., Austin, Texas 78705.

### **Response and Right to Request Hearing**

You have the right to request a hearing regarding this Order. Your request must be made in writing and sent to the OCCC not later than 30 days after you receive this Order. You must send your request to:

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

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. If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.

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@occ.texas.gov](mailto:michael.rigby@occ.texas.gov)

Signed this 17<sup>th</sup> day of September, 2018.

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

## CERTIFICATE OF SERVICE

I certify that on September 18, 2018, a true and correct copy of this Order Assessing Administrative Penalty for Violation of Injunctive Order has been sent to Z Cash of Texas Inc. d/b/a Z Cash by regular mail and certified mail, return receipt requested, at:

CMRRR # 91 7199 9991 7038 3509 7138

Z Cash of Texas Inc.

Attn: Ed Tijerina, Compliance Officer

40 Cypress Creek Pkwy 342

Houston, TX 77090

CMRRR # 91 7199 9991 7038 3509 7145

Z Cash of Texas Inc.

Attn: Z Cash of Texas Inc., Registered Agent

40 Cypress Creek Pwy. 342

Houston, TX 77090

/s/ Michael Rigby

Michael Rigby

General Counsel

Office of Consumer Credit Commissioner

State Bar No. 50511925 2601

North Lamar Blvd.

Austin, Texas 78705

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