

OCCC CASE NO. L19-00057

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 8863	§	OFFICE OF CONSUMER
PP PINNACLE PROPERTIES LP	§	CREDIT COMMISSIONER
2004 N. FRY RD.	§	
HOUSTON, TEXAS 77084	§	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 PP Pinnacle Properties LP (“PP Pinnacle”) 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>

PP Pinnacle is licensed by the OCCC as a pawnshop under Chapter 371 of the Texas Finance Code. PP Pinnacle operates under master file number 8863. PP Pinnacle’s compliance officer is Dan A. Rayne, and its designated contact address is 2004 N. Fry Rd., Houston, Texas 77084.

On November 14, 2017, the OCCC issued an Order to Cease and Desist against PP Pinnacle. The order required PP Pinnacle 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 December 17, 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 PP Pinnacle. PP Pinnacle 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 November 14, 2017.

## **Order**

IT IS ORDERED that Pp Pinnacle Properties LP pay an administrative penalty in the amount of **\$100.00**. The administrative penalty may be paid by: 1) check made payable to 'Office of Consumer Credit Commissioner' mailed or hand delivered to 2601 N. Lamar Blvd., Austin, Texas 78705, or 2) Visa or MasterCard over the phone during regular business hours by calling the OCCC legal department at (512) 936-7622.

## **Right to Request Hearing**

PP Pinnacle 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 PP Pinnacle 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 PP Pinnacle does not request a hearing by the deadline, this Order is considered final and enforceable.<sup>6</sup>

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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).

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.

Signed this 9th day of November, 2018.

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

## CERTIFICATE OF SERVICE

I certify that on November 15, 2018, a true and correct copy of this Order to Cease and Desist has been sent to PP Pinnacle Properties LP by regular mail and certified mail, return receipt requested, at:

CMRRRR# 91 7199 9991 7031 6392 6100

PP Pinnacle Properties LP

ATTN: Dan A. Rayne, Compliance Officer & Registered Agent

2004 N. Fry Rd.

Houston, TX 77084

/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 Name</b>	<b>License Number</b>	<b>License Status</b>	<b>Application Date</b>	<b>Days Employed Before Applying</b>
Cameron Watson	1435720	Active	2/26/2018	84