

OCCC CASE NO. L19-00243

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 16547	§	OFFICE OF CONSUMER
BRANDI EVJEN	§	
d/b/a CASH IN HAND	§	CREDIT COMMISSIONER
2108 N.W. AVENUE C	§	
SEMINOLE, TEXAS 79360	§	STATE OF TEXAS

**ORDER TO FILE TIMELY AND ACCURATE  
QUARTERLY AND ANNUAL REPORTS**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Quarterly and Annual Reports against Brandi Evjen d/b/a Cash in Hand (“Cash in Hand”).<sup>1</sup>

**Statement of Facts and Law**

Cash in Hand is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Cash in Hand operates under master file number 16547 at two licensed locations, under license numbers 62629 and 62630. Cash in Hand’s compliance officer is Brandi Evjen, and its designated contact address is 2108 N.W. Avenue C, Seminole, Texas 79360.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> A credit access business must submit for each of its licensed locations its 2018 4th quarter and annual reports on or before January 31, 2019.<sup>3</sup> All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.<sup>4</sup>

Cash in Hand did not file its 2018 4th quarter and annual reports with the Commissioner on or before January 31, 2019.

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code §§ 393.622, 393.627.

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

<sup>4</sup> 7 Tex. Admin. Code § 83.5001(a) ; <https://occc.texas.gov/industry/cabs/reporting>.

The 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.<sup>5</sup>

The Commissioner has reasonable cause to believe that Cash in Hand is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Cash in Hand failed to timely file its 2018 4th quarter and annual reports.

## **Order**

IT IS ORDERED that Brandi Evjen d/b/a Cash in Hand:

1. comply with, and cease and desist from violating, the reporting requirements set forth in Section 393.627 of the Texas Finance Code and Title 7, Section 83.5001 of the Texas Administrative Code;
2. file its 2018 4th quarter and annual reports within 30 days of service of this Order, if it has not already done so; and
3. timely file complete and accurate future quarterly and annual reports.

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).

## **Violation of Order**

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 per day.<sup>6</sup> Multiple violations may also result in the suspension or revocation of your license.<sup>7</sup>

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<sup>5</sup> Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

<sup>6</sup> Tex. Fin. Code § 14.208(c); 7 Tex. Admin. Code § 83.5001(e)(2).

<sup>7</sup> Tex. Fin. Code § 393.614; 7 Tex. Admin. Code § 83.5001(e)(3).

## Right to Request Hearing

You have the right to request a hearing regarding this Order.<sup>8</sup> 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:

Alexandra Gullett  
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.<sup>9</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>10</sup>

All communications with the OCCC concerning this matter must be through Alexandra Gullett, 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 alexandra.gullett@occc.texas.gov.

Signed this 23rd day of April, 2019.

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

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<sup>8</sup> Tex. Fin. Code § 14.208(b).

<sup>9</sup> Tex. Fin. Code § 14.208(b).

<sup>10</sup> Tex. Fin. Code § 14.208(c).

## CERTIFICATE OF SERVICE

I certify that on the 23rd day of April, 2019, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Brandi Evjen d/b/a Cash in Hand by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7037 5162 1172

Brandi Evjen

Attn: Brandi Evjen, Compliance Officer and Registered Agent

2108 N.W. Avenue C

Seminole, TX 79360

/s/Alexandra Gullett

Alexandra Gullett

Assistant General Counsel

Office of Consumer Credit Commissioner

State Bar No. 24101840

2601 North Lamar Blvd.

Austin, Texas 78705

(512) 936-7659

(512) 936-7610 (fax)

alexandra.gullett@occc.texas.gov