

OCCC CASE NO. L20-00112

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1700058125	§	OFFICE OF CONSUMER
EFS LENDING LLC	§	
d/b/a EFS FINANCE	§	CREDIT COMMISSIONER
3302 AVENUE H, SUITE 112	§	
ROSENBERG, TEXAS 77471	§	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 EFS Lending LLC d/b/a EFS Finance (“EFS Finance”).<sup>1</sup>

**Statement of Facts and Law**

EFS Finance is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. EFS Finance operates under master file number 1700058125 at one licensed location, under license number 157990. EFS Finance’s compliance officer is Carlota Ceasar, and its designated contact address is 3302 Avenue H, Suite 112, Rosenberg, Texas 77471.

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 2019 4th quarter and annual reports on or before January 31, 2020.<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>

EFS Finance did not file its 2019 4th quarter and annual reports with the Commissioner on or before January 31, 2020.

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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).

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 EFS Finance is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because EFS Finance failed to timely file its 2019 4th quarter and annual reports.

## **Order**

IT IS ORDERED that EFS Lending LLC d/b/a EFS Finance:

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 2019 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**

You may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.<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:

Audrey Spalding  
Office of Consumer Credit Commissioner  
2601 N. Lamar Blvd.  
Austin, Texas 78705  
Fax: (512) 936-7610

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 Audrey Spalding, 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 [audrey.spalding@occc.texas.gov](mailto:audrey.spalding@occc.texas.gov).

Signed this 3 day of March, 2020.

/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 3 day of March, 2020, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to EFS Lending LLC d/b/a EFS Finance by regular mail and certified mail, return receipt requested, at:

CMRRR #9214 8901 9403 8300 0006 1964 47  
EFS Lending LLC  
Attn: Carlota Ceasar, Compliance Officer  
3302 Avenue H, Suite 112  
Rosenberg, TX 77471

CMRRR #9214 8901 9403 8300 0006 1964 54  
EFS Lending LLC  
Attn: The Cleaning Agents, Registered Agent  
9950 Westpark Drive, Suite 280  
Houston, TX 77063

/s/ Audrey Spalding \_\_\_\_\_  
Audrey Spalding  
Assistant General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24111055  
2601 North Lamar Blvd.  
Austin, Texas 78705  
(512) 936-7659  
(512) 936-7610 (fax)  
audrey.spalding@occc.texas.gov