

OCCC CASE NO. L20-00115

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1900063024	§	OFFICE OF CONSUMER
MAKINI FINANCE LLC	§	
d/b/a MAKINI LOANS	§	CREDIT COMMISSIONER
8433 FM 1464, STE. L-4	§	
SAN ANTONIO, TEXAS 77407	§	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 Makini Finance LLC d/b/a Makini Loans (“Makini Loans”).<sup>1</sup>

**Statement of Facts and Law**

Makini Loans is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Makini Loans operates under master file number 1900063024 at one licensed location, under license number 161744. Makini Loans’s compliance officer is Mathew Mohono, and its designated contact address is 8433 FM 1464, Ste. L-4, San Antonio, Texas 77407.

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>

Makini Loans did not file its 2019 annual report 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 Makini Loans is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Makini Loans failed to timely file its 2019 annual report.

## **Order**

IT IS ORDERED that Makini Finance LLC d/b/a Makini Loans:

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 Makini Finance LLC d/b/a Makini Loans by regular mail and certified mail, return receipt requested, at:

CMRRR #9214 8901 9403 8300 0006 1965 08

Makini Finance LLC

Attn: Mathew Mohono, Compliance Officer

8433 FM 1464, Ste. L-4

San Antonio, TX 77407

CMRRR #9214 8901 9403 8300 0006 1965 15

Makini Finance LLC

Attn: Incorp Services Inc., Registered Agent

815 Brazos St., Ste. 500

Austin, TX 78701

/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