

OCCC CASE NO. L20-00008

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1266	§	OFFICE OF CONSUMER
EDWARD LAVIOLETTE III d/b/a	§	
ALAMO PAWN & JEWELRY #2	§	CREDIT COMMISSIONER
8800 HUEBNER	§	
SAN ANTONIO, TEXAS 78240	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Edward Laviolette III d/b/a ALAMO PAWN & JEWELRY #2 (“Alamo Pawn”).¹

Statement of Facts and Law

Alamo Pawn is a pawnshop licensed by the OCCC under Chapter 371 of the Texas Finance Code. Alamo Pawn operates under master file number 1266 at one licensed location, under license number 6186. Alamo Pawn’s compliance officer is EDWARD LAVIOLETTE, and its designated contact address is 8800 Huebner, San Antonio, Texas 78240.

A pawnshop must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² A pawnshop must file annual reports with the Consumer Credit Commissioner (“Commissioner”).³ For each pawnshop licensed location, a pawnshop must file an annual report by July 31 for the prior calendar year’s activity, and must comply with all instructions relating to submitting the report.⁴

Alamo Pawn did not file its 2018 annual report with the Commissioner for licensed location number 6186 by July 31, 2019.

¹ Tex. Fin. Code § 14.208(a).

² Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502.

³ Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502.

⁴ Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502; <https://occc.texas.gov/industry/pawnshops-and-pawn-employees/annual-reports>

On December 6, 2018, the OCCC issued an Injunctive Order to File Timely and Accurate Annual Reports (the "Order") against Alamo Pawn for violating Chapter 371 of the Texas Finance Code by failing to timely file its 2017 annual report. The Order required Alamo Pawn to timely file all future annual reports.

Alamo Pawn did not file its 2018 annual report with the Commissioner for licensed location number 6186 by July 31, 2019. Alamo Pawn violated the Order by failing to timely file its 2018 annual report and is therefore subject to an administrative penalty for violation of the Order.⁵

Order

IT IS ORDERED that EDWARD LAVIOLETTE III d/b/a ALAMO PAWN & JEWELRY #2:

1. pay an administrative penalty in the amount of **\$500**, calculated as \$500.00 each for Alamo Pawn's one licensed location, within 30 days of service of this Order; and
2. file its 2018 annual report within 30 days of service of this Order, if it has not already done so.

Pawnshop annual reports must be submitted either by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or through the OCCC's Application Licensing Examination and Compliance System (ALECS): alecs.occ.texas.gov. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occ.texas.gov.

⁵ Tex. Fin. Code § 14.208(c).

Response and Right to Request Hearing

You have the right to request a hearing regarding this Order.⁶ 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
audrey.spalding@occc.texas.gov

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.⁷ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.⁸

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.

Signed this 21 day of October, 2019.

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

⁶ Tex. Fin. Code § 14.208(b).

⁷ Tex. Fin. Code § 14.208(b).

⁸ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on the 21 day of October, 2019, a true and correct copy of this Injunctive Order to File Timely and Accurate Annual Reports has been sent to Edward Laviolette III d/b/a ALAMO PAWN & JEWELRY #2 by regular mail and certified mail, return receipt requested, at:

CMRR# 91 7199 9991 7036 0720 1381

Edward Laviolette III
Attn: Edward Laviolette, Compliance Officer
8800 Huebner
San Antonio, TX 78240

CMRR# 91 7199 9991 7036 0720 1398

Edward Laviolette III
Attn: Edward Laviolette, Registered Agent
14 Sherborne Ln.
San Antonio, TX 78257

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