

OCCC CASE NO. L20-00103

|                            |   |                     |
|----------------------------|---|---------------------|
| IN THE MATTER OF:          | § | BEFORE THE          |
|                            | § |                     |
| MASTER FILE NO.: 16413     | § | OFFICE OF CONSUMER  |
| ACE CREDIT ACCESS LLC      | § |                     |
| d/b/a ACE CASH EXPRESS     | § | CREDIT COMMISSIONER |
| 1231 GREENWAY DR. STE. 600 | § |                     |
| IRVING, TEXAS 75038        | § | STATE OF TEXAS      |

**ORDER TO MAINTAIN  
CREDIT SERVICES ORGANIZATION REGISTRATION**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to Maintain Credit Services Organization Registration against ACE Credit Access LLC d/b/a ACE Cash Express (“ACE Cash Express”).<sup>1</sup>

**Statement of Facts and Law**

ACE Cash Express holds a credit access business license issued by the OCCC under Chapter 393 of the Texas Finance Code. ACE Cash Express operates under master file number 16413 at multiple licensed locations.<sup>2</sup> ACE Cash Express’s compliance officer is RB Ramsey, and its designated contact address is 1231 Greenway Dr. Ste. 600, Irving, Texas 75038.

Under Chapter 393, a credit access business is a type of credit services organization.<sup>3</sup> Before conducting business in Texas, a credit services organization must register with the Texas Secretary of State.<sup>4</sup> This means that a credit access business must hold both a credit access business license with the OCCC and a credit services organization registration with the Texas Secretary of State.<sup>5</sup> ACE Cash Express is both a credit access business and a credit services organization.

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> ACE Cash Express has provided various DBA operating names to the OCCC for its multiple licensed locations. For example, the licensed location with license number 61110 has a DBA operating name of “ACE Cash Express #393,” and the licensed location with license number 61127 has a DBA operating name of “ACE Cash Express #388.” This Order refers to the business as “ACE Cash Express” for ease of reference.

<sup>3</sup> A credit services organization is a person who assists consumers in improving their credit or in obtaining extensions of credit by others. Tex. Fin. Code § 393.001(3). A credit access business is a credit services organization that assists consumers in obtaining payday loans or motor vehicle title loans. Tex. Fin. Code § 393.601(2).

<sup>4</sup> Tex. Fin. Code § 393.101(a).

<sup>5</sup> Tex. Fin. Code §§ 393.101(a), 393.603.

A credit services organization registration expires on the first anniversary of its date of issuance.<sup>6</sup> A registered credit services organization may renew a registration by filing a renewal application, in the form prescribed by the Texas Secretary of State, and paying the renewal fee.<sup>7</sup> A credit access business must maintain documentation of its registration as a credit services organization.<sup>8</sup>

ACE Cash Express conducted business during a period when its credit services organization registration was expired, including the period between February 27, 2016 and July 16, 2018. By conducting business without a valid credit services organization registration, ACE Cash Express violated Chapter 393.<sup>9</sup>

The Consumer Credit Commissioner (“Commissioner”) has enforcement authority regarding violations of Chapter 393 by a credit access business.<sup>10</sup> If the Commissioner has reasonable cause to believe that a credit access business is violating Chapter 393, then the Commissioner may issue an injunction ordering the credit access business to cease and desist from the violation, to take affirmative action, or both.<sup>11</sup>

The Commissioner has reasonable cause to believe that ACE Cash Express has violated Chapter 393 of the Texas Finance Code by conducting business without a valid credit services organization registration. Therefore, the Commissioner issues this Order.

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<sup>6</sup> Tex. Fin. Code § 393.101(d).

<sup>7</sup> Tex. Fin. Code § 393.101(d).

<sup>8</sup> Tex. Fin. Code § 393.101(b) (requiring a credit services organization to keep a copy of the registration statement in its files); 7 Tex. Admin. Code § 83.5004(10) (requiring a licensed credit access business to maintain documentation of its registration as a credit services organization with the Texas Secretary of State, including its registration statement and registration certificate, to show compliance with Tex. Fin. Code § 393.101).

<sup>9</sup> See Tex. Fin. Code § 393.101(a).

<sup>10</sup> Tex. Fin. Code § 14.201.

<sup>11</sup> Tex. Fin. Code § 14.208(a).

## **Order**

IT IS ORDERED that ACE Credit Access LLC d/b/a ACE Cash Express:

1. comply with, and cease and desist from violating, the credit services organization registration requirement set forth in Section 393.101 of the Texas Finance Code; and
2. maintain a valid registration as a credit services organization while conducting business in Texas.

## **Violation of Order**

If ACE Cash Express violates this Order, this may result in one or more of the following actions by the OCCC: (1) an administrative penalty of up to \$1,000 for each day of violation of this Order, (2) an order to refund all credit access business fees for any period when ACE Cash Express did not hold a valid credit services organization registration, or (3) the suspension or revocation of ACE Cash Express's credit access business license.<sup>12</sup>

## **Right to Request Hearing**

You have the right to request a hearing regarding this Order.<sup>13</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:

Matthew Nance  
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>14</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>15</sup>

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<sup>12</sup> Tex. Fin. Code §§ 14.208(a)-(c), 14.251(b), 393.614.

<sup>13</sup> Tex. Fin. Code § 14.208(b).

<sup>14</sup> Tex. Fin. Code § 14.208(b).

<sup>15</sup> Tex. Fin. Code § 14.208(c).

All communications with the OCCC concerning this matter must be through Matthew Nance, Deputy General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7660, or by email to matthew.nance@occc.texas.gov.

Signed this 17<sup>th</sup> day of January, 2020.

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

**CERTIFICATE OF SERVICE**

I certify that on January 17, 2020, a true and correct copy of this Order to Maintain Credit Services Organization Registration has been sent to ACE Credit Access LLC d/b/a ACE Cash Express by the following:

ACE Credit Access LLC  
d/b/a ACE Cash Express  
Attn: RB Ramsey, Compliance Officer  
1231 Greenway Dr. Ste. 600  
Irving, TX 75038  
compliance@acecashexpress.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
#91 7199 9991 7037 4753 2970

ACE Credit Access LLC  
d/b/a ACE Cash Express  
Attn: CT Corporation System, Registered  
Agent  
1999 Bryan Street, Ste. 900  
Dallas, TX 75201  
licensing@acecashexpress.com

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
#91 7199 9991 7037 4753 2987

/s/ Matthew Nance  
Matthew J. Nance  
Deputy General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24074794  
2601 North Lamar Blvd.  
Austin, Texas 78705  
(512) 936-7660  
(512) 936-7610 (fax)  
matthew.nance@occc.texas.gov