

OCCC CASE NO. L19-00411

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NUMBER: 16547	§	OFFICE OF CONSUMER
BRANDI EVJEN	§	
d/b/a CASH IN HAND	§	CREDIT COMMISSIONER
2108 NW AVENUE C	§	
SEMINOLE, TEXAS 79360	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Brandi Evjen d/b/a Cash in Hand (“Cash in Hand”).¹

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 one licensed location, under license number 62629. Cash in Hand’s compliance officer is Brandi Evjen, and its designated contact address is 2108 North West Avenue C, Seminole, Texas 79360.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).² A credit access business must submit its quarterly and annual reports on or before the following dates:

- 1st quarter report – April 30;
- 2nd quarter report – July 31;
- 3rd quarter report – October 31; and
- 4th quarter and annual report – January 31.³

If a credit access business fails to timely file its quarterly or annual reports within four quarters of failing to timely file a previous report, the OCCC may impose an administrative penalty of \$500.00 for each licensed location.⁴ If a

¹ Tex. Fin. Code § 14.208(c).

² Tex. Fin. Code § 393.627.

³ 7 Tex. Admin. Code § 83.5001; <https://occc.texas.gov/industry/cabs/reporting>.

⁴ 7 Tex. Admin. Code § 83.5001(e)(2)(B).

credit access business fails to file its quarterly report three or more times within four quarters of the second offense, the OCCC may impose an administrative penalty of \$1,000.00 for each licensed location.⁵ Upon a fourth offense within four quarters of three or more offenses, the OCCC may seek the revocation of a business's license.⁶

On April 23, 2019, the OCCC issued an Order to File Timely and Accurate Annual Reports against Cash in Hand for failing to file its 2019 4th quarter and annual 2018 quarter report.

Cash in Hand did not file its 2019 2nd quarter report with the Commissioner on or before July 31, 2019. Additionally, Cash in Hand did not timely file one or more of its reports within the four quarters preceding the 2019 2nd quarter report.

Order

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

1. pay an administrative penalty in the amount of **\$500.00**, calculated as \$500.00 each for Cash in Hand's one licensed location, within 30 days of service of this Order; and
2. file its 2019 2nd quarter report within 30 days of service of this Order, if it has not already done so.

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. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occ.texas.gov. A check made payable to 'Office of Consumer Credit Commissioner' may be mailed to 2601 N. Lamar Blvd., Austin, Texas 78705.

⁵ 7 Tex. Admin. Code § 83.5001(e)(2)(C).

⁶ 7 Tex. Admin. Code § 83.5001(e)(3).

Response and Right to Request Hearing

You have the right to request a hearing regarding this Order. 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
audrey.spalding@occc.state.tx.us
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. If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.

All communications with the OCCC concerning this Order 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 7th day of October, 2019.

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

CERTIFICATE OF SERVICE

I certify that on October 7, 2019, a true and correct copy of this Order Imposing Administrative Penalty 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 7036 0720 1169

Brandi Evjen

Attn: Brandi Evjen, Compliance Officer & Registered Agent

2108 NW Avenue C

Seminole, TX 79360

/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

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