

OCCC CASE NO. L19-00418

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1700059722	§	OFFICE OF CONSUMER
CASH FOR WHATEVER TEXAS	§	
6160 N. CICERO AVE. SUITE 104	§	CREDIT COMMISSIONER
CHICAGO, ILLINOIS 60646	§	
	§	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 Cash For Whatever Texas (“Cash for Whatever Texas”).¹

Statement of Facts and Law

Cash for Whatever Texas is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Cash for Whatever Texas operates under master file number 1700059722 at one licensed location, under license number 159293. Cash for Whatever Texas’s compliance officer is Michael Durlacher, and its designated contact address is 6160 N. Cicero Ave. Suite 104, Chicago, Illinois 60646.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).² A credit access business must submit for each of its licensed locations its 2019 2nd quarter report on or before July 31, 2019.³ All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.⁴

Cash for Whatever Texas did not file its 2019 2nd quarter report with the Commissioner on or before July 31, 2019.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code §§ 393.622, 393.627.

³ 7 Tex. Admin. Code § 83.5001.

⁴ 7 Tex. Admin. Code § 83.5001(a); <https://occc.texas.gov/industry/cabs/reporting>.

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.⁵

The Commissioner has reasonable cause to believe that Cash for Whatever Texas is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Cash for Whatever Texas failed to timely file its 2019 2nd quarter report.

Order

IT IS ORDERED that Cash For Whatever Texas:

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 2nd quarter report 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. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occ.texas.gov.

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 per day.⁶ Multiple violations may also result in the suspension or revocation of your license.⁷

⁵ Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

⁶ Tex. Fin. Code § 14.208(c); 7 Tex. Admin. Code § 83.5001(e)(2).

⁷ 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.⁸ 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.texas.gov
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.⁹ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.¹⁰

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) 936-76259, 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

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(b).

¹⁰ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on October 7, 2019, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Cash For Whatever Texas ("Cash for Whatever Texas") by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7036 0720 1305
Cash For Whatever Texas
Attn: Michael Durlacher, Compliance Officer
6160 N. Cicero Ave. Suite 104
Chicago, IL 60646

CMRRR #91 7199 9991 7036 0720 1312
Cash For Whatever Texas
Attn: Incorp Services, Registered Agent
815 Bravos
Austin, TX 78702

/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