

OCCC CASE NO. L22-00023

IN THE MATTER OF:	§	BEFORE THE
	§	
	§	OFFICE OF CONSUMER
MUGO GROUP, LLC	§	
12306 ABBEY GARDEN	§	CREDIT COMMISSIONER
SAN ANTONIO, TEXAS 78249	§	
	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Mugo Group, LLC (“Mugo Group”) based on the violations of law described below.¹

Statement of Facts and Law

Mugo Group does not hold any license issued by the OCCC. Records of the Texas Secretary of State reflect that Mugo Group is located at 12306 Abbey Garden, San Antonio, Texas 78249, and that its president is Rodrigo Murra.

Under Chapter 342 of the Texas Finance Code, a person must hold a regulated lender license in order to make, transact, negotiate, or accept a charge in connection with a regulated loan.² A regulated loan generally includes a loan made for personal, family, or household purposes to a person in Texas with an effective annual interest rate greater than 10%.³ To discover a violation of Chapter 342 or to obtain required information, the OCCC may conduct an investigation of a person who the OCCC has reasonable cause to believe is violating Chapter 342.⁴

After receiving a written complaint or other reasonable cause to believe that a person is violating a statute enforced by the OCCC, the Consumer Credit Commissioner (“Commissioner”) may:

- (1) require the person to furnish information regarding a specific loan or business practice to which the violation relates; and
- (2) conduct an investigation to determine whether a violation exists.⁵

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code § 342.051(a).

³ Tex. Fin. Code § 342.005.

⁴ Tex. Fin. Code § 342.553.

⁵ Tex. Fin. Code § 14.202.

If the Commissioner has reasonable cause to believe that a person is violating a statute enforced by the OCCC, the Commissioner may issue an injunction ordering the person to cease and desist the violation, to take affirmative action, or both, to enforce compliance.⁶ After an injunction becomes final and enforceable, the commissioner may impose an administrative penalty against a person who violates an injunction.⁷

Mugo Group acted as a third-party lender for Januco LLC d/b/a Xpress Title Loans (“Xpress Title Loans”). Xpress Title Loans previously held a credit access business license with the OCCC, under master file number 17142 and license number 63903. In 2019, the OCCC revoked Xpress Title Loans’ license due to repeated violations of Chapter 393 of the Texas Finance Code. In an agreed order of revocation, Xpress Title Loans agreed to either waive its rights in outstanding transactions, or to assign outstanding transactions to a licensed credit access business.⁸ Xpress Title Loans did not take either of these actions. Instead, Xpress Title Loans told the OCCC that it had assigned a portfolio of outstanding motor vehicle title loans to Mugo Group, and that it had ceased doing business.

On September 28, 2021 the OCCC issued an Order to Furnish Information (“Order”) against Mugo Group. The OCCC issued the Order because Mugo Group violated Chapters 14 and 342 of the Finance Code by failing to respond to the OCCC’s requests for information and investigations to determine whether Mugo Group engaged in unlicensed activity.⁹

The Order required Mugo Group to cease and desist from specific violations and to take affirmative actions to correct the violations. In particular, the Order required Mugo Group to provide the following information to the OCCC no later than October 28, 2021:

- (1) a spreadsheet listing each loan that Mugo Group had made, transacted, negotiated, acquired, or accepted a charge in connection with, including any loans acquired from Januco LLC d/b/a Xpress Title Loans (“Xpress Title Loans”),
- (2) loan agreements and other transaction documentation for each of these loans,
- (3) loan agreements and other transaction documentation for each

⁶ Tex. Fin. Code § 14.208(a).

⁷ Tex. Fin. Code § 14.208(c).

⁸ Agreed Order of Revocation, OCCC Case No. L18-00082, Januco LLC d/b/a Xpress Title Loans, p. 19 (Mar. 12, 2019).

⁹ Tex. Fin. Code §§ 14.202, 342.553.

consumer who had filed a complaint against Xpress Title Loans since 2019, and

- (4) a complete written description of all amounts that Mugo Group contracted for, charged, or received in connection with loans to consumers.

Mugo Group did not request a hearing on the Order, and the Order became final and enforceable.¹⁰ As of the date of this Order, Mugo Group has not provided the information required by the OCCC's September 2021 Order to Furnish Information. By failing to respond to the Order, Mugo Group has violated the Order and Chapters 14 and 342 of the Texas Finance Code.¹¹

Order

IT IS ORDERED that:

1. **No later than 30 days after the date of this Order**, Mugo Group must pay an administrative penalty in the amount of **\$1,000.00**.
2. **No later than 30 days after the date of this Order**, Mugo Group must send the OCCC all information required by the Order to Furnish Information issued against Mugo Group on September 28, 2021. The information must be sent by email to matthew.nance@occc.texas.gov.

Right to Request Hearing

You have the right to request a hearing regarding this Order. To request a hearing, you must send a written hearing request to the OCCC no later than 30 days after the date of this Order. You must send your request to Matthew Nance, Deputy General Counsel, by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or by email to matthew.nance@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. If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.

¹⁰ Tex. Fin. Code § 14.208(c).

¹¹ Tex. Fin. Code §§ 14.202, 14.208(c), 342.553.

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 at matthew.nance@occc.texas.gov.

Signed this 21st day of December, 2021.

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

CERTIFICATE OF SERVICE

I certify that on December 21, 2021, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Mugo Group, LLC by the following:

Mugo Group, LLC
Attn: Rodrigo Murra, President
12306 Abbey Garden
San Antonio, TX 78249

- hand delivery
- fax
- email
- regular mail
- certified mail, return receipt requested
#9214 8901 9403 8300 0061 7968 28

Mugo Group, LLC
Attn: Rodrigo Murra, Registered Agent
16505 La Cantera Parkway, Apt. 238
San Antonio, TX 78256

- hand delivery
- fax
- email
- regular mail
- certified mail, return receipt requested
#9214 8901 9403 8300 0061 7968 35

/s/ Matthew Nance
Matthew J. Nance
Deputy General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24074794
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