

OCCC CASE NO. L19-00099

IN THE MATTER OF:	§	BEFORE THE
LICENSE NO.: 1435862	§	OFFICE OF CONSUMER
JOSE FAISAL	§	CREDIT COMMISSIONER
4619 RIVERTREE LN.	§	STATE OF TEXAS
SPRING, TEXAS 77388	§	

**ORDER TO CEASE AND DESIST**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to Cease and Desist against Jose Faisal, based on the violations of law described below.<sup>1</sup>

**Statement of Facts and Law**

An individual who is employed at a pawnshop to write pawn transactions, buy or sell merchandise, or supervise another employee who writes pawn transactions or buys or sells merchandise to a consumer must either hold a pawnshop employee license on the date of employment or apply for a pawnshop employee license not later than the 75th day after beginning employment.<sup>2</sup>

On December 18, 2017, the OCCC received Jose Faisal’s application for a pawnshop employee license related to Jose Faisal’s employment with Texas EZPawn LP, which is licensed by the OCCC under Master File No. 771. Jose Faisal was issued a pawnshop employee license (No. 1435862) and the license is currently active.

According to the license application, Jose Faisal began working for Texas EZPawn LP on July 10, 2017. Jose Faisal did not hold an active pawnshop employee license on July 10, 2017. Jose Faisal worked 161 days as a pawnshop employee before submitting a license application to the OCCC, in violation of Section 371.101(a) of the Texas Finance Code.

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code § 371.101(a).

## **Authority**

If the Commissioner has reasonable cause to believe that a person is violating Chapter 371, the Commissioner may issue an order to cease and desist from the violation, take affirmative action, or both, to enforce compliance.<sup>3</sup>

The Commissioner has reasonable cause to believe that Jose Faisal is violating Chapter 371 by writing pawn transactions, buying or selling merchandise, or supervising another employee who writes pawn transactions or buys or sells merchandise without either holding a pawnshop employee license or applying for a pawnshop employee license within 75 days of beginning employment.

## **Order**

IT IS ORDERED that Jose Faisal cease and desist from writing pawn transactions, buying or selling merchandise, or supervising another employee who writes pawn transactions or buys or sells merchandise without holding a pawnshop employee license or applying for a license within 75 days of beginning employment.

## **Violation of Order**

Jose Faisal may be assessed an administrative penalty of up to \$1,000 for each day of violating this Order after it becomes final.<sup>4</sup> Multiple violations may also result in license revocation.<sup>5</sup>

## **Right to Request Hearing**

Jose Faisal has the right to request a hearing regarding this Order.<sup>6</sup> A request must be made in writing and sent to the OCCC not later than 30 days after receiving this Order. The request must be sent to:

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<sup>3</sup> Tex. Fin. Code § 14.208(a).

<sup>4</sup> Tex. Fin. Code § 14.208(c).

<sup>5</sup> Tex. Fin. Code § 371.255; 7 Tex. Admin. Code § 85.604(b)(5), (7).

<sup>6</sup> Tex. Fin. Code § 14.208(b).

Michael Rigby  
Office of Consumer Credit Commissioner  
2601 N. Lamar Blvd.  
Austin, Texas 78705

If Jose Faisal requests a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.<sup>7</sup> If Jose Faisal does not request a hearing by the deadline, this Order is considered final and enforceable.<sup>8</sup>

All communications with the OCCC concerning this matter must be through Michael Rigby, General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7623, or by email to michael.rigby@occc.texas.gov.

Signed this 9th day of November, 2018.

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

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<sup>7</sup> Tex. Fin. Code § 14.208(b).

<sup>8</sup> Tex. Fin. Code § 14.208(c).

## CERTIFICATE OF SERVICE

I certify that on November 15, 2018, a true and correct copy of this Order to Cease and Desist has been sent to Jose Faisal by regular mail and certified mail, return receipt requested, at:

CMRRR# 91 7199 9991 7038 3483 1375

Jose Faisal  
4619 Rivertree Ln.  
Spring, TX 77388

CMRRR# 91 7199 9991 7038 3483 1382

Texas EZPawn LP  
ATTN: Jose Faisal  
2500 Bee Cave Rd., Bldg 1, Suite 200  
Rollingwood, TX 78746

/s/Michael Rigby  
Michael Rigby  
General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 50511925  
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