

OCCC CASE NO. L19-00130

IN THE MATTER OF:	§	BEFORE THE
	§	
LICENSE NO.: 1435145	§	OFFICE OF CONSUMER
	§	
ANDRES FIGUEROA	§	CREDIT COMMISSIONER
759 GRAND OAKS DR.	§	
HOUSTON, TEXAS 77015	§	STATE OF TEXAS

FIRST AMENDED ORDER TO CEASE AND DESIST

The Office of Consumer Credit Commissioner (“OCCC”) issues this First Amended Order to Cease and Desist against Andres Figueroa, based on the violations of law described below.¹

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.²

On September 25, 2017, the OCCC received Andres Figueroa’s application for a pawnshop employee license related to Andres Figueroa’s employment with Telephone Road Jewelry & Loan, which is licensed by the OCCC under Master File No. 2583. Andres Figueroa was issued a pawnshop employee license (No. 1435145) and the license is currently active.

According to the license application, Andres Figueroa began working for Telephone Road Jewelry & Loan on July 3, 2017. Andres Figueroa did not hold an active pawnshop employee license on July 3, 2017. Andres Figueroa worked 84 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.

¹ Tex. Fin. Code § 14.208.

² 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.³

The Commissioner has reasonable cause to believe that Andres Figueroa 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 Andres Figueroa 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

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

Right to Request Hearing

Andres Figueroa has the right to request a hearing regarding this Order.⁶ 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:

³ Tex. Fin. Code § 14.208(a).

⁴ Tex. Fin. Code § 14.208(c).

⁵ Tex. Fin. Code § 371.255; 7 Tex. Admin. Code § 85.604(b)(5), (7).

⁶ Tex. Fin. Code § 14.208(b).

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

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

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 30th day of January, 2019.

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

⁷ Tex. Fin. Code § 14.208(b).

⁸ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on January 30, 2019, a true and correct copy of this First Amended Order to Cease and Desist has been sent to Andres Figueroa by regular mail and certified mail, return receipt requested, at:

CMRRR# 91 7199 9991 7037 5228 6752

Andres Figueroa
759 Grand Oaks Dr.
Houston, TX 77015

CMRRR# 91 7199 9991 7037 5228 6769

Telephone Road Jewelry & Loan
ATTN: Andres Figueroa
PO Box 4392
Pasadena, TX 77502

/s/Michael Rigby
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