

OCCC CASE NO. L19-00165

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NUMBER: 1700058458	§	OFFICE OF CONSUMER
CASH LINK USA, LLC	§	
d/b/a KANSAS CASH LINK USA, LLC	§	CREDIT COMMISSIONER
1901 W. 47TH PLACE, SUITE 1	§	
MISSION, KANSAS 66205	§	STATE OF TEXAS

**ORDER ASSESSING ADMINISTRATIVE PENALTY
FOR VIOLATION OF INJUNCTIVE ORDER**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Assessing Administrative Penalty for Violation of Injunctive Order against Cash Link USA, LLC d/b/a Kansas Cash Link USA, LLC (“Kansas Cash Link”).¹

Statement of Facts and Law

Kansas Cash Link is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Kansas Cash Link operates under master file number 1700058458 at one licensed location, under license number 157921. Kansas Cash Link’s compliance officer is Brian Gaudreau, and its designated contact address is 1901 W. 47th Place, Suite 1, Mission, Kansas 66205.

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

¹ Tex. Fin. Code § 14.208(c).

² Tex. Fin. Code § 393.627.

³ 7 Tex. Admin. Code § 83.5001.

assess an administrative penalty of \$500.00 for each licensed location.⁴ If a credit access business fails to file its quarterly report three or more times within four quarters of the second offense, the OCCC may assess 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' license.⁶

On March 30, 2018, the OCCC issued an Order to File Timely and Accurate Quarterly and Annual Reports against Kansas Cash Link for failing to file its 2017 4th quarter or annual report.

Kansas Cash Link did not file its 2018 3rd quarter report with the Commissioner on or before October 31, 2018. Additionally, Kansas Cash Link did not timely file one or more of its reports within the four quarters preceding the 2018 3rd quarter report.

Order

IT IS ORDERED that Cash Link USA, LLC d/b/a Kansas Cash Link USA, LLC:

7. pay an administrative penalty in the amount of **\$500.00**, calculated as \$500.00 each for Kansas Cash Link's one licensed location, within 30 days of service of this Order; and
8. file its 2018 3rd 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, for payment of the \$500.00 penalty.

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

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:

Alexandra Gullett
Office of Consumer Credit Commissioner
2601 N. Lamar Blvd.
Austin, Texas 78705

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 matter must be through Alexandra Gullett, 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 alexandra.gullett@occc.texas.gov.

Signed this 6th day of December, 2018.

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

CERTIFICATE OF SERVICE

I certify that on December 12, 2018, a true and correct copy of this Order Assessing Administrative Penalty for Violation of Injunctive Order has been sent to Cash Link USA, LLC d/b/a Kansas Cash Link USA, LLC by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7037 5198 9630

Cash Link USA, LLC

Attn: Brian Gaudreau, Compliance Officer

1901 W. 47th Place, Suite 1

Mission, Kansas 66205

CMRRR #91 7199 9991 7037 5198 9647

Cash Link USA, LLC

Attn: Csc Lawyers Incorporating Service Company, Registered Agent

211 E. 7th Street, Suite 620

Austin, Texas 78701

/s/Alexandra Gullett

Alexandra Gullett

Assistant General Counsel

Office of Consumer Credit Commissioner

State Bar No. 24101840

2601 North Lamar Blvd.

Austin, Texas 78705

(512) 936-7659

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alexandra.gullett@occc.texas.gov