

OCCC CASE NO. L19-00175

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|-----------------------------|---|---------------------|
| IN THE MATTER OF: | § | BEFORE THE |
| | § | |
| MASTER FILE NO.: 1800060798 | § | OFFICE OF CONSUMER |
| LEAP CREDIT OF TEXAS | § | |
| 3348 PEACHTREE ROAD NE, | § | CREDIT COMMISSIONER |
| SUITE 150 | § | |
| ATLANTA, GEORGIA 30326 | § | STATE OF TEXAS |

**INJUNCTIVE ORDER TO FILE TIMELY AND ACCURATE
QUARTERLY AND ANNUAL REPORTS**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Injunctive Order to File Timely and Accurate Quarterly and Annual Reports against Leap Credit of Texas (“Leap Credit”).¹

Statement of Facts and Law

Leap Credit is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Leap Credit operates under master file number 1800060798 at one licensed location, under license number 159839. Leap Credit’s compliance officer is Michael Schwartz, and its designated contact address is 3348 Peachtree Road NE, Suite 150, Atlanta, Georgia 30326.

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 2018 3rd quarter report on or before October 31, 2018.³ All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.⁴

Leap Credit did not file its 2018 3rd quarter report with the Commissioner on or before October 31, 2018.

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).

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 Leap Credit is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Leap Credit failed to timely file its 2018 3rd quarter report.

Order

IT IS ORDERED that Leap Credit of 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 2018 3rd 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

You may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.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:

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.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 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

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 the 12th day of December, 2018, a true and correct copy of this Injunctive Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Leap Credit of Texas by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7037 5198 9838

Leap Credit of Texas

Attn: Michael Schwartz, Compliance Officer

3348 Peachtree Road NE, Suite 150

Atlanta, GA 30326

CMRRR #91 7199 9991 7037 5198 9845

Leap Credit of Texas

Attn: Capitol Services, Inc., Registered Agent

206 E. 9th St., Ste. 1300

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

(512) 936-7610 (fax)

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