

OCCC CASE NO. L19-00177

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|--------------------------|---|---------------------|
| IN THE MATTER OF: | § | BEFORE THE |
| | § | |
| | § | OFFICE OF CONSUMER |
| MASTER FILE NO.: 16660 | § | |
| RIO PAYMENT SERVICES LLC | § | CREDIT COMMISSIONER |
| 2300 W. EXPY. 83 | § | |
| LA FERIA, TEXAS 78559 | § | 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 Rio Payment Services LLC (“Rio Payment”).¹

Statement of Facts and Law

Rio Payment is a regulated lender licensed by the OCCC under Chapter 342 of the Texas Finance Code. Rio Payment operates under master file number 16660 at one licensed location, under license number 62855. Rio Payment’s compliance officer is Anel La Cross, and its designated contact address is 2300 W. Expy. 83, La Feria, Texas 78559.

A regulated lender must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² A regulated lender must file the required annual report by May 1 for the prior calendar year’s loan activity on forms prescribed by the OCCC and must comply with all instructions relating to submitting the report.³

On July 9, 2018, the OCCC issued an Order to File Timely and Accurate Reports against Rio Payment for failing to timely file its 2017 annual report. Rio Payment did not request a hearing on the Order to File Timely and Accurate Annual Reports and it is now final. The Order required Rio Payment to timely file complete and accurate future annual reports.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code § 342.559.

³ 7 Tex. Admin. Code § 83.835.

Rio Payment did not file its 2017 annual report with the Commissioner by the filing deadline of May 1, 2018. In correspondence dated May 8, 2018, the OCCC notified Rio Payment that its 2017 annual report had not been received and extended the deadline for filing to May 18, 2018. As of the date of this Order, the OCCC has not received Rio Payment's 2017 annual report.

Order

IT IS ORDERED that Rio Payment Services LLC:

1. pay an administrative penalty in the amount of **\$500.00**. This penalty is calculated as \$500.00 for Rio Payment's one licensed location, within 30 days of service of this Order;⁴ and
2. file its 2017 annual report within 30 days of service of this Order, if it has not already done so.

Regulated lender 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.

Response and Right to Request Hearing

You have the right to request a hearing regarding this Order.⁵ 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:

Laurie Hobbs
Office of Consumer Credit Commissioner
2601 N. Lamar Blvd.
Austin, Texas 78705

⁴ The administrative penalty may be paid by: (1) check made payable to 'Office of Consumer Credit Commissioner' mailed to 2601 N. Lamar Blvd., Austin, Texas 78705, or (2) Visa or MasterCard over the telephone during regular business hours by calling the OCCC legal department at (512) 936-7622.

⁵ Tex. Fin. Code § 14.208(b).

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.⁶ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.⁷

All communications with the OCCC concerning this matter must be through Laurie Hobbs, Assistant General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7621, or by email to laurie.hobbs@occc.texas.gov.

Signed this 24th day of April, 2019.

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

⁶ Tex. Fin. Code § 14.208(b).

⁷ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on the 24th day of April, 2019, a true and correct copy of this Order Assessing Administrative Penalty for Violation of Injunctive Order has been sent to Rio Payment Services LLC by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7036 0790 5302
Rio Payment Services LLC
Attn: Anel La Cross, Compliance Officer
2300 W. Expy. 83
La Feria, Texas 78559

CMRRR 91 7199 9991 7036 0790 5319
Rio Payment Services LLC
Attn: Anel La Cross, Registered Agent
37696 FM 510
Los Fresnos, Texas 78566

CMRRR #91 7199 9991 70369 0790 5326
Rio Payment Services, LLC
Attn: E. M. Payne, Registered Agent
2401 East Expressway 83
Weslaco, TX 78596

/s/Laurie B. Hobbs
Laurie B. Hobbs
Assistant General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24002296
2601 North Lamar Blvd.
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