

OCCC CASE NO. L19-00252

IN THE MATTER OF:	§	BEFORE THE
	§	
	§	OFFICE OF CONSUMER
MASTER FILE NO. 1400050142	§	
TEXAS APPROVAL, LLC	§	CREDIT COMMISSIONER
750 N. ORLEANS ST., 2ND FLOOR	§	
CHICAGO, ILLINOIS 60654	§	STATE OF TEXAS

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

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Quarterly and Annual Reports against Texas Approval, LLC (“Texas Approval”).<sup>1</sup>

**Statement of Facts and Law**

Texas Approval is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Texas Approval operates under master file number 1400050142 at one licensed location, under license number 150767. Texas Approval’s compliance officer is Adam Diekelman, and its designated contact address is 750 N. Orleans St., 2nd Floor, Chicago, Illinois 60654.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> A credit access business must submit for each of its licensed locations its 2018 4th quarter and annual reports on or before January 31, 2019.<sup>3</sup> All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.<sup>4</sup>

Texas Approval did not file its 2018 annual report with the Commissioner on or before January 31, 2019.

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<sup>1</sup> Tex. Fin. Code § 14.208.

<sup>2</sup> Tex. Fin. Code §§ 393.622, 393.627.

<sup>3</sup> 7 Tex. Admin. Code § 83.5001.

<sup>4</sup> 7 Tex. Admin. Code § 83.5001(a); <https://occc.texas.gov/industry/cabs/reporting>.

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.<sup>5</sup>

The Commissioner has reasonable cause to believe that Texas Approval is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Texas Approval failed to timely file its 2018 and annual report.

## **Order**

IT IS ORDERED that Texas Approval, LLC:

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 annual 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](http://alecs.occ.texas.gov). Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, [occ.texas.gov](http://occ.texas.gov).

## **Violation of Order**

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 per day.<sup>6</sup> Multiple violations may also result in the suspension or revocation of your license.<sup>7</sup>

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<sup>5</sup> Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

<sup>6</sup> Tex. Fin. Code § 14.208(c); 7 Tex. Admin. Code § 83.5001(e)(2).

<sup>7</sup> 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.<sup>8</sup> 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.<sup>9</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>10</sup>

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 23<sup>rd</sup> day of April, 2019.

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

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

<sup>9</sup> Tex. Fin. Code § 14.208(b).

<sup>10</sup> Tex. Fin. Code § 14.208(c).

## CERTIFICATE OF SERVICE

I certify that on the 23<sup>rd</sup> day of April, 2019, a true and correct copy of this Order to File Timely and Accurate Quarterly and Annual Reports has been sent to Texas Approval, LLC by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7037 5162 1318

Texas Approval, LLC

Attn: Adam Diekelman, Compliance Officer

750 N. Orleans St., 2nd Floor

Chicago, IL 60654

CMRRR #91 7199 9991 7037 5162 1325

Texas Approval, LLC

Attn: Corporate Creations Network Inc., Registered Agent

4265 San Felipe #1100

Houston, TX 77027

/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)

alexandra.gullett@occc.texas.gov