

OCCC CASE NO. L19-00313

IN THE MATTER OF:	§	BEFORE THE
	§	
	§	OFFICE OF CONSUMER
MASTER FILE NO. 1484	§	
Q-PAWN INC.	§	CREDIT COMMISSIONER
PO BOX 11818	§	
COLLEGE STATION, TEXAS 77842	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Q-Pawn Inc. (“Q-Pawn”) based on the violations of law described below.¹

Statement of Facts and Law

A pawnbroker may not employ an individual to write pawn transactions, buy or sell merchandise, or supervise another employee who writes pawn transactions or buys or sells merchandise to a consumer unless the individual holds a pawnshop employee license or the individual applied for a license not later than the 75th day after beginning employment.² A pawnbroker is responsible for its employees in the conduct of the pawnshop business.³

Q-Pawn is licensed by the OCCC as a pawnshop under Chapter 371 of the Texas Finance Code. Q-Pawn operates under master file number 1484. Q-Pawn’s compliance officer is Deanna McFarling, and its designated contact address is PO Box 11818, College Station, Texas 77842.

On November 9, 2018, the OCCC issued an Order to Cease and Desist against Q-Pawn. The order required Q-Pawn to cease and desist from employing an individual as a pawnshop employee for more than 75 days without the individual holding or applying for a pawnshop employee license. The order became final and enforceable on December 12, 2018.

¹ Tex. Fin. Code § 14.208.
² Tex. Fin. Code § 371.101(c).
³ 7 Tex. Admin. Code § 85.604(b)(9).

Attached to this Order as Exhibit A is a list of one or more individuals employed by Q-Pawn. Q-Pawn employed each individual as a pawnshop employee for more than 75 days without the individual holding or applying for a pawnshop employee license, in violation of Section 371.101(c) of the Texas Finance Code, and also in violation of the Order to Cease and Desist dated November 9, 2018 .

Order

IT IS ORDERED that Q-Pawn Inc. pay an administrative penalty in the amount of **\$500.00** within 30 days of service of this Order.

Right to Request Hearing

Q-Pawn has the right to request a hearing regarding this Order.⁴ 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:

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

If Q-Pawn requests a hearing, a hearing on this matter will be set and conducted in accordance with Chapter 2001 of the Texas Government Code.⁵ If Q-Pawn does not request a hearing by the deadline, this Order is considered final and enforceable.⁶

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.

⁴ Tex. Fin. Code § 14.208(b).

⁵ Tex. Fin. Code § 14.208(b).

⁶ Tex. Fin. Code § 14.208(c).

Signed this 10th day of June, 2019.

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

CERTIFICATE OF SERVICE

I certify that on June 10, 2019, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Q-Pawn Inc. by regular mail and certified mail, return receipt requested, at:

CMRRRR# 91 7199 9991 7036 0790 5470

Q-Pawn Inc.

ATTN: Deanna McFarling, Compliance Officer

PO Box 11818

College Station, TX 77842

CMRRRR# 91 7199 9991 7036 0790 5487

Q-Pawn Inc.

ATTN: Bradford McFarling, Registered Agent

4609 Midsummer Ln.

College Station, TX 77845

/s/Michael Rigby

Michael Rigby

General Counsel

Office of Consumer Credit Commissioner

State Bar No. 50511925

2601 North Lamar Blvd.

Austin, Texas 78705

(512) 936-7623

(512) 936-7610 (fax)

michael.rigby@occc.texas.gov

EXHIBIT A

Applicant Name	License Number	License Status	Application Date	Days Employed Before Applying
Reyna Gallegos	1440472	Active	4/15/2019	135