

OCCC CASE NO. L19-00319

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 1600055701	§	OFFICE OF CONSUMER
EL CERRITO PAWNSHOPS LLC	§	
D/B/A EXPRESS CASH PAWN	§	CREDIT COMMISSIONER
3320 HWY. 6 SOUTH, STE. A	§	
HOUSTON, TEXAS 77082	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against El Cerrito Pawnshops LLC d/b/a Express Cash Pawn (“Express Cash”) 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

Express Cash is licensed by the OCCC as a pawnshop under Chapter 371 of the Texas Finance Code. Express Cash operates under master file number 1600055701. Express Cash’s compliance officer is Carlos Diaz, and its designated contact address is 3320 Hwy. 6 South, Ste. A, Houston, Texas 77082.

On May 24, 2017, the OCCC issued an Order to Cease and Desist against Express Cash. The order required Express Cash 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 June 26, 2017.

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 Express Cash. Express Cash 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 May 24, 2017 .

Order

IT IS ORDERED that El Cerrito Pawnshops LLC d/b/a Express Cash Pawn pay an administrative penalty in the amount of **\$500.00** within 30 days of service of this Order.

Right to Request Hearing

Express Cash 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 Express Cash 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 Express Cash 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 El Cerrito Pawnshops LLC d/b/a Express Cash Pawn by regular mail and certified mail, return receipt requested, at:

CMRRRR# 91 7199 9991 7037 5201 0856
El Cerrito Pawnshops LLC
ATTN: Carlos Diaz, Compliance Officer
3320 Hwy. 6 South, Ste. A
Houston, TX 77082

CMRRRR# 91 7199 9991 7037 5201 0593
El Cerrito Pawnshops LLC
ATTN: Carlos Diaz, Registered Agent
13180 Fm 529 Rd., Ste. G
Houston, TX 77041

/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
Emmanuel Bernal- Vea	1438492	Active	8/23/2018	84