

OCCC CASE NO. L19-00321

IN THE MATTER OF:	§	BEFORE THE
	§	
	§	OFFICE OF CONSUMER
MASTER FILE NUMBER: 1600055968	§	
HIGHCREST FINANCIAL LLC	§	CREDIT COMMISSIONER
6761 ELK TRAIL	§	
ARLINGTON, TEXAS 76002	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Highcrest Financial LLC (“Highcrest Financial”).¹

Statement of Facts and Law

Highcrest Financial is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Highcrest Financial operates under master file number 1600055968 at one licensed location, under license number 156021. Highcrest Financial’s compliance officer is Louise Oeri-Curry, and its designated contact address is 6761 Elk Trail, Arlington, Texas 76002.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).² A credit access business must submit its quarterly and annual reports on or before the following dates:

- 1st quarter report – April 30;
- 2nd quarter report – July 31;
- 3rd quarter report – October 31; and
- 4th quarter and annual report – January 31.³

If a credit access business fails to timely file its quarterly or annual reports within four quarters of failing to timely file a previous report, the OCCC may

¹ Tex. Fin. Code § 14.208(c).

² Tex. Fin. Code § 393.627.

³ 7 Tex. Admin. Code § 83.5001; <https://occc.texas.gov/industry/cabs/reporting>.

impose an administrative penalty of \$500.00 for each licensed location.⁴ If a credit access business fails to file its quarterly report three or more times within four quarters of the second offense, the OCCC may impose an administrative penalty of \$1,000.00 for each licensed location.⁵ Upon a fourth offense within four quarters of three or more offenses, the OCCC may seek the revocation of a business's license.⁶

On December 6, 2018, the OCCC issued an Injunctive Order to File Timely and Accurate Quarterly and Annual Reports against Highcrest Financial for failing to file its 2018 3rd quarter report. On April 23, 2019, the OCCC issued an Order Imposing Administrative Penalty against Highcrest Financial for failing to file its 2019 4th quarter and annual reports.

Highcrest Financial did not file its 2019 1st quarter report with the Commissioner on or before April 30, 2019. Additionally, Highcrest Financial did not timely file one or more of its reports within the four quarters preceding the 2019 1st quarter report.

Order

IT IS ORDERED that Highcrest Financial LLC:

3. pay an administrative penalty in the amount of **\$1,000.00**, calculated as \$1,000.00 each for Highcrest Financial's one licensed location, within 30 days of service of this Order; and
4. file its 2019 1st quarter report within 30 days of service of this Order, if it has not already done so.

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.

⁴ 7 Tex. Admin. Code § 83.5001(e)(2)(B).

⁵ 7 Tex. Admin. Code § 83.5001(e)(2)(C).

⁶ 7 Tex. Admin. Code § 83.5001(e)(3).

Response and Right to Request Hearing

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

Matthew Nance
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. If you fail to request a hearing by the deadline, this Order will be considered final and enforceable.

All communications with the OCCC concerning this matter must be through Matthew Nance, Deputy General Counsel, who may be contacted by mail at 2601 N. Lamar Blvd., Austin, Texas 78705, by telephone at (512) 936-7660, or by email to matthew.nance@occc.texas.gov.

Signed this 6th day of June, 2019.

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

CERTIFICATE OF SERVICE

I certify that on June 6, 2019, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Highcrest Financial LLC by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7037 5201 0623

Highcrest Financial LLC

Attn: Louise Oeri-Curry, Compliance Officer and Registered Agent

6761 Elk Trail

Arlington, TX 76002

/s/Matthew Nance _____

Matthew J. Nance

Deputy General Counsel

Office of Consumer Credit Commissioner

State Bar No. 24074794

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