

OCCC CASE NO. L20-00022

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 18405	§	OFFICE OF CONSUMER
KENNETH BISHOP	§	
d/b/a B6UP PAWN AND GUN	§	CREDIT COMMISSIONER
720 CULVER STREET	§	
COMMERCE, TEXAS 75428	§	STATE OF TEXAS

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Kenneth Bishop d/b/a B6UP Pawn and Gun (“B6UP Pawn”).<sup>1</sup>

**Statement of Facts and Law**

B6UP Pawn is a pawnshop licensed by the OCCC under Chapter 371 of the Texas Finance Code. B6UP Pawn operates under master file number 18405 at one licensed location, under license number 66907. B6UP Pawn’s compliance officer is KENNETH BISHOP, and its designated contact address is 720 Culver Street, Commerce, Texas 75428.

A pawnshop must file annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>2</sup> A pawnshop must file annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>3</sup> For each pawnshop licensed location, a pawnshop must file an annual report by July 31 for the prior calendar year’s activity, and must comply with all instructions relating to submitting the report.<sup>4</sup>

B6UP Pawn did not file its 2018 annual report with the Commissioner for licensed location number 66907 by July 31, 2019.

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<sup>1</sup> Tex. Fin. Code § 14.208(a).

<sup>2</sup> Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502.

<sup>3</sup> Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502.

<sup>4</sup> Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502; <https://occc.texas.gov/industry/pawnshops-and-pawn-employees/annual-reports>

On November 13, 2017, the OCCC issued an Injunctive Order to File Timely and Accurate Annual Reports (the "Order") against B6UP Pawn for violating Chapter 371 of the Texas Finance Code by failing to timely file its 2016 annual report. The Order required B6UP Pawn to timely file all future annual reports.

B6UP Pawn did not file its 2018 annual report with the Commissioner for licensed location number 66907 by July 31, 2019. B6UP Pawn violated the Order by failing to timely file its 2018 annual report and is therefore subject to an administrative penalty for violation of the Order.<sup>5</sup>

### **Order**

IT IS ORDERED that Kenneth Bishop d/b/a B6UP Pawn and Gun:

1. pay an administrative penalty in the amount of **\$500**, calculated as \$500.00 each for B6UP Pawn's one licensed location, within 30 days of service of this Order; and
2. file its 2018 annual report within 30 days of service of this Order, if it has not already done so.

Pawnshop annual reports must be submitted either by mail to 2601 N. Lamar Blvd., Austin, Texas 78705, or 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).

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<sup>5</sup> Tex. Fin. Code § 14.208(c).

## Response and Right to Request Hearing

You have the right to request a hearing regarding this Order.<sup>6</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:

Audrey Spalding  
Office of Consumer Credit Commissioner  
2601 N. Lamar Blvd.  
Austin, Texas 78705  
Fax: (512) 936-7610  
audrey.spalding@occc.texas.gov

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

All communications with the OCCC concerning this matter must be through Audrey Spalding, 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 audrey.spalding@occc.texas.gov.

Signed this 21 day of October, 2019.

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

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<sup>6</sup> Tex. Fin. Code § 14.208(b).

<sup>7</sup> Tex. Fin. Code § 14.208(b).

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

## CERTIFICATE OF SERVICE

I certify that on the 21 day of October, 2019, a true and correct copy of this Injunctive Order to File Timely and Accurate Annual Reports has been sent to Kenneth Bishop d/b/a B6UP Pawn and Gun by regular mail and certified mail, return receipt requested, at:

CMRR# 91 7199 9991 7037 5229 1169

Kenneth Bishop

Attn: Kenneth Bishop, Compliance Officer

720 Culver Street

Commerce, TX 75428

CMRR# 91 7199 9991 7037 5229 1176

Kenneth Bishop

Attn: Vickie Evans, Registered Agent

530 County Rd. 4744

Sulphur Springs, TX 75482

/s/Audrey Spalding

Audrey Spalding

Assistant General Counsel

Office of Consumer Credit Commissioner

State Bar No. 24111055

North Lamar Blvd.

Austin, Texas 78705

(512) 936-7659

(512) 936-7610 (fax)

audrey.spalding@occc.texas.gov