

OCCC CASE NO. L20-00089

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1400050826	§	OFFICE OF CONSUMER
MONEYLION OF TEXAS LLC	§	
d/b/a MONEYLION	§	CREDIT COMMISSIONER
30 W. 21ST ST., 9TH FLOOR	§	
NEW YORK, NEW YORK 10010	§	STATE OF TEXAS

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against MoneyLion of Texas LLC d/b/a MoneyLion (“MoneyLion”).<sup>7</sup>

**Statement of Facts and Law**

MoneyLion is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. MoneyLion operates under master file number 1400050826 at one licensed location, under license number 151369. MoneyLion’s compliance officer is Scott Temby, and its designated contact address is 30 W. 21st St., 9th Floor, New York, New York 10010.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).<sup>8</sup> 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.<sup>9</sup>

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

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

<sup>8</sup> Tex. Fin. Code § 393.627.

<sup>9</sup> Tex. Admin. Code § 83.5001; <https://occc.texas.gov/industry/cabs/reporting>.

impose an administrative penalty of \$500.00 for each licensed location.<sup>10</sup> 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.<sup>11</sup> Upon a fourth offense within four quarters of three or more offenses, the OCCC may seek the revocation of a credit access business's license.<sup>12</sup>

On 43578, the OCCC issued an Order to File Timely and Accurate Annual Reports against MoneyLion for failing to file its 2019 1st quarter report.

MoneyLion did not file its 2019 3rd quarter report with the Commissioner on or before October 31, 2019. Additionally, MoneyLion did not timely file one or more of its reports within the four quarters preceding the 2019 3rd quarter report.

## **Order**

IT IS ORDERED that MoneyLion of Texas LLC d/b/a MoneyLion:

1. pay an administrative penalty in the amount of **\$500.00**, calculated as \$500.00 each for MoneyLion's one licensed location, within 30 days of service of this Order; and
2. file its 2019 3rd 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](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). A check made payable to 'Office of Consumer Credit Commissioner' may be mailed to 2601 N. Lamar Blvd., Austin, Texas 78705, for payment of the \$500.00.

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<sup>10</sup> 7 Tex. Admin. Code § 83.5001(e)(2)(B).

<sup>11</sup> 7 Tex. Admin. Code § 83.5001(e)(2)(C).

<sup>12</sup> 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](mailto:matthew.nance@occc.texas.gov).

Signed this 11th day of December, 2019.

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

## CERTIFICATE OF SERVICE

I certify that on December 11th, 2019, a true and correct copy of this Order Imposing Administrative Penalty has been sent to MoneyLion of Texas LLC d/b/a MoneyLion by regular mail and certified mail, return receipt requested, at:

CMRRR #91 7199 9991 7036 0669 8328  
MoneyLion of Texas LLC  
Attn: Scott Temby, Compliance Officer  
30 W. 21st St., 9th Floor  
New York, NY 10010

CMRRR #91 7199 9991 7036 0669 8335  
MoneyLion of Texas LLC  
Attn: National Registered Agents, Inc., Registered Agent  
1999 Bryan Street, Suite 900  
Dallas, TX 75201

/s/ Matthew Nance  
Matthew J. Nance  
Deputy General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24074794  
2601 North Lamar Blvd.  
Austin, Texas 78705  
(512) 936-7660  
(512) 936-7610 (fax)  
mattew.nance@occc.texas.gov