

OCCC CASE NO. L21-00085

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1600056665	§	OFFICE OF CONSUMER
GIO KELLY PAWN LLC	§	
d/b/a PLUS PAWN	§	CREDIT COMMISSIONER
2010 S. BUCKNER BLVD	§	
DALLAS, TEXAS 75217	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Gio Kelly Pawn LLC d/b/a Plus Pawn (“Plus Pawn”).¹

Statement of Facts and Law

Plus Pawn is a pawnshop licensed by the OCCC under Chapter 371 of the Texas Finance Code. Plus Pawn operates under master file number 1600056665 at one licensed location, under license number 156652. Plus Pawn’s compliance officer is Kelly Scott, and its designated contact address is 2010 S. Buckner Blvd, Dallas, Texas 75217.

A pawnshop must file annual reports with the Consumer Credit Commissioner (“Commissioner”).² 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.³

Plus Pawn did not file its 2019 annual report with the Commissioner for one licensed location, under license number 156652 by July 31, 2020.

¹ Tex. Fin. Code § 14.208(a), (c).

² Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502.

³ Tex. Fin. Code § 371.201; 7 Tex. Admin. Code § 85.502; <https://occc.texas.gov/industry/pawnshops-and-pawn-employees/annual-reports>

On December 6, 2018, the OCCC issued an Injunctive Order to File Timely and Accurate Reports (the "Order") against Plus Pawn for violating Chapter 371 of the Texas Finance Code by failing to timely file its 2017 annual report. The Order required Plus Pawn to timely file all future annual reports.

Plus Pawn did not file its 2019 annual report with the Commissioner for one licensed location, under license number 156652, by July 31, 2020. Plus Pawn violated the Order by failing to timely file its 2019 annual report and is therefore subject to an administrative penalty for violation of the Order.⁴

Order

IT IS ORDERED that Gio Kelly Pawn LLC d/b/a Plus Pawn:

1. pay an administrative penalty in the amount of **\$500.00**, calculated as \$500.00 each for Plus Pawn's one licensed location, within 30 days of service of this Order; and
1. file its 2019 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.occc.texas.gov. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occc.texas.gov.

⁴ Tex. Fin. Code § 14.208(c).

Response and Right to Request Hearing

You have the right to request a hearing regarding this Order.⁵ 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

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.⁶ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.⁷

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 6 day of November, 2020.

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

⁵ Tex. Fin. Code § 14.208(b).

⁶ Tex. Fin. Code § 14.208(b).

⁷ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on November 6, 2020, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Gio Kelly Pawn LLC d/b/a Plus Pawn by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0022 5577 96

Gio Kelly Pawn LLC

Attn: Kelly Scott, Compliance Officer

2010 S. Buckner Blvd

Dallas, TX 75217

CMRRR# 9214 8901 9403 8300 0022 5578 02

Gio Kelly Pawn LLC

Attn: Kelly Scott, Registered Agent

927 Horizon Hills Dr.

Dallas, TX 75253

/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