

OCCC CASE NO. L21-00089

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO. 10471	§	OFFICE OF CONSUMER
LOTS A CASH PAWN II, INC.	§	
928 S. BUCKNER BLVD.	§	CREDIT COMMISSIONER
DALLAS, TX 75217	§	
	§	STATE OF TEXAS
	§	

**ORDER IMPOSING ADMINISTRATIVE PENALTY**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against Lotsa Cash Pawn II, Inc. (“Lotsa Cash Pawn”).<sup>1</sup>

**Statement of Facts and Law**

Lotsa Cash Pawn is a pawnshop licensed by the OCCC under Chapter 371 of the Texas Finance Code. Lotsa Cash Pawn operates under master file number 10471 at two licensed locations, under license numbers 5665 and 7972. Lotsa Cash Pawn’s compliance officer is Charles Hutchings, and its designated contact address is 928 S. Buckner Blvd., Dallas, Texas 75217.

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

Lotsa Cash Pawn did not file its 2019 annual report with the Commissioner for two licensed locations, under license numbers 5665 or 7972 by July 31, 2020.

On September 2, 2016, the OCCC issued an Injunctive Order to File Timely and Accurate Annual Reports (the “Order”) against Lotsa Cash Pawn for

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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; <https://occc.texas.gov/industry/pawnshops-and-pawn-employees/annual-reports>

violating Chapter 371 of the Texas Finance Code by failing to timely file its 2015 report. The Order required Lotsa Cash Pawn to timely file all future annual reports.

On November 13, 2017, the OCCC issued an Order Assessing Administrative Penalty for Violation of Injunctive Order against Lotsa Cash Pawn for violating the Order by failing to timely files its 2016 annual report.

On October 21, 2019, the OCCC issued an Order Imposing Administrative Penalty against Lotsa Cash Pawn for violating the Order again by failing to file its 2018 annual reports.

The Commissioner may issue an injunction ordering a pawn shop to file one or more complete, accurate, and timely annual reports if the Commissioner has reasonable cause to believe that the pawn shop is violating Chapter 371 of the Texas Finance Code.<sup>4</sup> The Commissioner may impose an administrative penalty on a pawn shop that violates an injunction.<sup>5</sup>

Lotsa Cash Pawn has repeatedly failed to file annual reports by the applicable deadline, including its annual reports for 2015, 2016, 2018, and 2019. By failing to timely file these reports, Lotsa Cash Pawn has repeatedly violated Chapter 371 of the Texas Finance Code, and has repeatedly violated the OCCC's 2016 Order to Timely File Annual Reports. These violations were committed knowingly or without exercise of due care.

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<sup>4</sup> Tex. Fin. Code § 14.208(a).

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

## Order

IT IS ORDERED that Lotsa Cash Pawn II, Inc.:

1. pay an administrative penalty in the amount of **\$2,000.00**, calculated as \$1,000.00 each for Lotsa Cash Pawn's two licensed locations, within 30 days of service of this Order; and
2. 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.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).

## Violation of Order

If Lotsa Cash Pawn violates this Order, the OCCC may impose an administrative penalty of up to \$1,000 per day, and may suspend or revoke Lotsa Cash Pawn's license.<sup>6</sup>

## Response and Right to Request Hearing

You have the right to request a hearing regarding this Order.<sup>7</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

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<sup>6</sup> Tex. Fin. Code §§ 14.208(c), 351.156.

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

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>8</sup> If you fail to request a hearing by this deadline, this Order is considered final and enforceable.<sup>9</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](mailto:audrey.spalding@occc.texas.gov).

Signed this 7 day of December, 2020.

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

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

<sup>9</sup> Tex. Fin. Code § 14.208(c).

**CERTIFICATE OF SERVICE**

I certify that on December 7, 2020, a true and correct copy of this Order Imposing Administrative Penalty has been sent to Lotsa Cash Pawn II, Inc. by the following:

Lotsa Cash Pawn II Inc.  
Attn: Charles Hutchings, Compliance  
Officer & Registered Agent  
928 Buckner Blvd.  
Dallas, TX 75217

- hand-delivery
- facsimile
- electronic mail
- regular mail
- certified mail, return receipt requested  
#9214 8901 9403 8300 0026 9645 90

/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  
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