

OCCC CASE NO. L21-00079

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1262	§	OFFICE OF CONSUMER
THE PAWN SHOP d/b/a SAM	§	
HOUSTON PAWN & JEWELRY	§	CREDIT COMMISSIONER
1701 SAM HOUSTON	§	
VICTORIA, TEXAS 77901	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Imposing Administrative Penalty against The Pawn Shop d/b/a Sam Houston Pawn & Jewelry (“Sam Houston Pawn”).¹

Statement of Facts and Law

Sam Houston Pawn is a pawnshop licensed by the OCCC under Chapter 371 of the Texas Finance Code. Sam Houston Pawn operates under master file number 1262 at one licensed location, under license number 8395. Sam Houston Pawn’s compliance officer is Terry Wieland/Kevin Mccarty, and its designated contact address is 1701 Sam Houston, Victoria, Texas 77901.

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

Sam Houston Pawn did not file its 2019 annual report with the Commissioner for one licensed location, under license number 8395 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 October 21, 2019, the OCCC issued an Order to File Timely and Accurate Annual Reports (the “Order”) against Sam Houston Pawn for violating Chapter 371 of the Texas Finance Code by failing to timely file its 2018 annual report. The Order required Sam Houston Pawn to timely file all future annual reports.

Sam Houston Pawn did not file its 2019 annual report with the Commissioner for one licensed location, under license number 8395, by July 31, 2020. Sam Houston 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 The Pawn Shop d/b/a Sam Houston Pawn & Jewelry:

1. pay an administrative penalty in the amount of **\$500.00**, calculated as \$500.00 each for Sam Houston 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.occ.texas.gov. Instructions are available by clicking the “File Annual Report” button on the OCCC’s home page, occ.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 The Pawn Shop d/b/a Sam Houston Pawn & Jewelry by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0022 5576 73

The Pawn Shop

Attn: Terry Wieland/Kevin McCarty, Compliance Officer

1701 Sam Houston

Victoria, TX 77901

CMRRR# 9214 8901 9403 8300 0022 5576 80

The Pawn Shop

Attn: Kevin McCarty, Registered Agent

1701 Sam Houston

Victoria, TX 77901

/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