

OCCC CASE NO. L21-00134

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.:1700058125	§	OFFICE OF CONSUMER
EFS LENDING	§	
d/b/a EFS FINANCE	§	CREDIT COMMISSIONER
3302 AVENUE H, SUITE 112	§	
ROSENBERG, TEXAS 77471	§	STATE OF TEXAS

ORDER IMPOSING ADMINISTRATIVE PENALTY

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order Assessing Administrative Penalty for Violation of Injunctive Order against EFS Lending d/b/a EFS Finance (“EFS Finance”).¹⁰

Statement of Facts and Law

EFS Finance is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. EFS Finance operates under master file number 1700058125 at one licensed location, under license number 157990. EFS Finance’s compliance officer is Carlota Ceasar, and its designated contact address is 3302 Avenue H, Suite 112, Rosenberg, Texas 77471.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).¹¹ 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 31.¹²

¹⁰ Tex. Fin. Code § 14.208(c).

¹¹ Tex. Fin. Code § 393.627.

¹² 7 Tex. Admin. Code § 83.5001.

If a credit access business violates the quarterly or annual reporting requirements for a second time within four quarters of a first reporting violation, the OCCC may impose an administrative penalty against the credit access business of \$500.00 for each of its licensed locations.¹³ If a credit access business fails to file a quarterly or annual report again within four quarters of a second reporting violation, the OCCC may impose an administrative penalty of \$1,000.00 against the credit access business for each of its licensed locations.¹⁴ The OCCC may seek revocation for any subsequent violation of the reporting requirements within four quarters of a third or subsequent reporting violation.¹⁵

On March 3, 2020 the OCCC issued an Order to File Timely and Accurate Quarterly and Annual Reports against EFS Finance for failing to file its Q4 and annual 2019 report.

EFS Finance did not file its 2020 4th quarter and annual reports with the Commissioner on or before January 31, 2021. Additionally, EFS Finance did not timely file one or more of its reports within the four quarters preceding the 2020 4th quarter and annual reports.

Order

IT IS ORDERED that EFS Lending d/b/a EFS Finance:

1. pay an administrative penalty in the amount of **\$1000.00**, calculated as \$1000.00 for EFS Finance's one licensed location, within 30 days of service of this Order; and
2. file its 2020 4th quarter and annual reports 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.occc.texas.gov. Instructions are available by clicking the "File Annual Report" button on the OCCC's home page, occc.texas.gov.

¹³ 7 Tex. Admin. Code § 83.5001(e)(3)(B).

¹⁴ 7 Tex. Admin. Code § 83.5001(e)(3)(C).

¹⁵ 7 Tex. Admin. Code § 83.5001(e)(4).

Right to Request Hearing

You have the right to request a hearing regarding this Order.¹⁶ 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

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.¹⁷ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.¹⁸

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 11th day of March, 2021.

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

¹⁶ Tex. Fin. Code § 14.208(b).

¹⁷ Tex. Fin. Code § 14.208(b).

¹⁸ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on March 11, 2021, a true and correct copy of this Order Imposing Administrative Penalty has been sent to EFS Lending d/b/a EFS Finance by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0032 9541 58
EFS Lending
Attn: Carlota Ceasar, Compliance Officer
3302 Avenue H, Suite 112
Rosenberg, TX 77471

CMRRR # 9214 8901 9403 8300 0032 9541 65
EFS Lending
Attn: The Cleaning Agents, Registered Agent
9950 Westpark Drive, Suite 280
Houston, Texas 77063

/s/ Audrey Spalding _____
Audrey Spalding
Assistant General Counsel
Office of Consumer Credit Commissioner
State Bar No. 24111055
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(512) 936-7659 (phone)
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