

OCCC CASE NO. L20-00182

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 2947	§	OFFICE OF CONSUMER
ERIC MARCUS WHITE	§	
1301 1ST ST. E.	§	CREDIT COMMISSIONER
HUMBLE, TEXAS 77338	§	
	§	STATE OF TEXAS

**ORDER TO ENSURE TIMELY FILING OF
PAWNSHOP EMPLOYEE LICENSE APPLICATIONS**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to Ensure Timely Filing of Pawnshop Employee License Applications against Eric Marcus White (“Eric White”) based on the violations of law described below.¹

Statement of Facts and Law

Eric White is licensed by the OCCC as a pawnshop under Chapter 371 of the Texas Finance Code. Eric White operates under master file number 2947. Eric White’s compliance officer is Eric White, and his designated contact address is 1301 1st St. E, Humble, Texas 77338. Eric White does business under the names “Frontier Pawn & Gun,” “Cypresswood Pawn & Gun,” and “Beltway Pawn & Gun.”

A pawnbroker may, but is not required to, participate in the pawnshop employee license program.² If a pawnbroker participates in the pawnshop employee license program, then the pawnbroker may not employ an individual to write pawn transactions unless the individual holds a pawnshop employee license, or applies for a license within 75 days after beginning employment.³ An employee who works at a participating pawnshop must, as a condition of employment, apply for a license with the OCCC within 75 days after employment begins.⁴ A pawnbroker is responsible for the acts of its employees

¹ Tex. Fin. Code § 14.208.
² Tex. Fin. Code § 371.101(a).
³ Tex. Fin. Code § 371.101(c).
⁴ Tex. Fin. Code § 371.101(b).

in the conduct of pawnshop business.⁵

Eric White has chosen to participate in the pawnshop employee license program. Eric White employed each of the following individuals as a pawnshop employee for more than 75 days, without the individuals' holding or applying for a pawnshop employee license:

Applicant Name	Application ID Number	License Status	Application Date	Days Employed Before Applying
Kevin Moulder	38672	Approved	1/14/2020	84

If the Commissioner has reasonable cause to believe that a person is violating Chapter 371 of the Texas Finance Code, the Commissioner may issue an order to cease and desist from the violation, take affirmative action, or both, to enforce compliance.⁶

The Commissioner has reasonable cause to believe that Eric White violated Chapter 371 by employing one or more individuals to write pawn transactions for more than 75 days, without the individuals' holding or applying for a pawnshop employee license. Eric White is responsible for its employees' failure to file timely pawnshop employee license applications.

Order

IT IS ORDERED that Eric Marcus White:

1. comply with, and cease and desist from violating, the pawnshop employee licensing and application requirements of Section 371.101 of the Texas Finance Code; and
2. ensure that all future pawnshop employee license applications are timely filed, not later than the 75th day after the individual begins employment.

⁵ Tex. Fin. Code § 371.074; 7 Tex. Admin. Code § 85.604(c)(9).

⁶ Tex. Fin. Code § 14.208(a).

Violation of Order

If you violate this Order, the OCCC may impose an administrative penalty of up to \$1,000 per day.⁷ Multiple violations may also result in the suspension or revocation of your license.⁸

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁹ 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.¹⁰ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.¹¹

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.

Signed this 11th day of September, 2020.

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

⁷ Tex. Fin. Code § 14.208(c).

⁸ Tex. Fin. Code § 371.251; 7 Tex. Admin. Code § 85.604(b)(4).

⁹ Tex. Fin. Code § 14.208(b).

¹⁰ Tex. Fin. Code § 14.208(b).

¹¹ Tex. Fin. Code § 14.208(c).

CERTIFICATE OF SERVICE

I certify that on September 11, 2020, a true and correct copy of this Order to Ensure Timely Filing of Pawnshop Employee License Applications has been sent to Eric Marcus White by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0019 2820 38

Eric Marcus White
Attn: Eric White, Compliance Officer
1301 1st St. E.
Humble, TX 77338

CMRRR# 9214 8901 9403 8300 0019 2820 45

Eric Marcus White
Attn: E Marcus White, Registered Agent
27511 E. Benders Landing Blvd.
Spring, TX 77386

/s/ Matthew Nance
Matthew 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)
matthew.nance@occc.texas.gov