

OCCC CASE NO. L20-00191

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 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 Gio Kelly Pawn, LLC. d/b/a Plus Pawn (“Plus Pawn”) based on the violations of law described below.¹

Statement of Facts and Law

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

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 in the conduct of pawnshop business.⁵

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).

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

Plus Pawn has chosen to participate in the pawnshop employee license program. Plus Pawn 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
Theodoros Sfantos	38206	Denied	10/2/2019	79
Liliana Ibarra	38403	Denied	10/2/2019	121

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 Plus Pawn 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. Plus Pawn is responsible for its employees' failure to file timely pawnshop employee license applications.

Order

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

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.

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 Gio Kelly Pawn, LLC. d/b/a Plus Pawn by regular mail and certified mail, return receipt requested, at:

CMRRR# 9214 8901 9403 8300 0019 2822 12

Gio Kelly Pawn, LLC.

Attn: Kelly Scott, Compliance Officer

2010 S. Buckner Blvd.

Dallas, TX 75217

CMRRR# 9214 8901 9403 8300 0019 2822 29

Gio Kelly Pawn, LLC.

Attn: Kelly Scott, Registered Agent

927 Horizon Hills Dr.

Dallas, TX 75253

/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