

OCCC CASE NO. L21-00131

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.:1700059302	§	OFFICE OF CONSUMER
LEWFIN AMERICA, LLC	§	
4109 S. WESTERN STREET	§	CREDIT COMMISSIONER
AMARILLO, TEXAS 79109	§	
	§	STATE OF TEXAS

**ORDER TO FILE TIMELY AND ACCURATE
QUARTERLY AND ANNUAL REPORTS**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Order to File Timely and Accurate Quarterly and Annual Reports against Lewfin America, LLC (“Lewfin”).¹

Statement of Facts and Law

Lewfin is a credit services organization licensed to act as a credit access business under Chapter 393 of the Texas Finance Code. Lewfin operates under master file number 1700059302 at two licensed locations, under license number 159745 and 161416. Lewfin’s compliance officer is Zarika Lewies, and its designated contact address is 4109 S. Western Street, Amarillo, Texas 79109.

A credit access business must file quarterly and annual reports with the Consumer Credit Commissioner (“Commissioner”).² A credit access business must submit for each of its licensed locations its 2020 4th quarter and annual reports on or before January 31, 2021.³ All information provided on the quarterly and annual reports must be accurate and calculated in accordance with the OCCC’s instructions.⁴

Lewfin did not file its 2020 4th quarter and annual reports with the Commissioner on or before January 31, 2021.

¹ Tex. Fin. Code § 14.208.

² Tex. Fin. Code §§ 393.622, 393.627; 7 Tex. Admin. Code § 83.5001(a).

³ 7 Tex. Admin. Code § 83.5001 (b)(1).

⁴ 7 Tex. Admin. Code § 83.5001(a).

The Commissioner may issue an injunction ordering a credit access business to file one or more complete, accurate, and timely quarterly or annual reports if the Commissioner has reasonable cause to believe that the credit access business is violating Chapter 393 of the Texas Finance Code.⁵

The Commissioner has reasonable cause to believe that Lewfin is violating Chapter 393 of the Texas Finance Code, and therefore issues this Order, because Lewfin failed to timely file its 2020 4th quarter and annual reports.

Order

IT IS ORDERED that Lewfin America, LLC:

1. comply with, and cease and desist from violating, the reporting requirements set forth in Section 393.627 of the Texas Finance Code and Title 7, Section 83.5001 of the Texas Administrative Code;
2. file its 2020 4th quarter and annual reports report within 30 days of service of this Order, if it has not already done so; and
3. timely file complete and accurate future quarterly and annual reports.

Credit access business quarterly and annual reports must be submitted 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.

Violation of Order

You may be assessed an administrative penalty of up to \$1,000 for each day of violation of this Order.⁶ Multiple violations may also result in the suspension or revocation of your license.⁷

⁵ Tex. Fin. Code § 14.208; 7 Tex. Admin. Code § 83.5001(e)(1).

⁶ Tex. Fin. Code § 14.208(c); 7 Tex. Admin. Code § 83.5001(e)(2).

⁷ Tex. Fin. Code § 393.614; 7 Tex. Admin. Code § 83.5001(e)(3).

Right to Request Hearing

You have the right to request a hearing regarding this Order.⁸ Your request must be made in writing and sent to the OCCC no 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.⁹ If you fail to request a hearing by this deadline, this Order is considered final and enforceable.¹⁰

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

⁸ Tex. Fin. Code § 14.208(b).

⁹ Tex. Fin. Code § 14.208(b).

¹⁰ 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 Lewfin America, LLC by regular mail and certified mail, return receipt requested, at:

CMRRR # 9214 8901 9403 8300 0032 9540 97

Lewfin America, LLC

Attn: Zarika Lewies, Compliance Officer

4109 S. Western Street

Amarillo, Texas 79109

CMRRR # 9214 8901 9403 8300 0032 9541 03

Lewfin America, LLC

Attn: Michael Brown, Registered Agent

1912 W. Pecan Street, Ste. 204

Pflugerville, Texas 78660

/s/Audrey Spalding_____

Audrey Spalding

Assistant General Counsel

Office of Consumer Credit Commissioner

State Bar No. 24111055

2601 North Lamar Blvd.

Austin, Texas 78705

(512) 936-7659 (phone)

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