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Check Into Cash of Mississippi Inc. v. City of Jackson

Court of Appeals of Mississippi - March 10, 2015 - So.3d - 2015 WL 1015746

Check Into Cash of Mississippi Inc. (CICM) appealed the City of Jackson's decision to deny a use permit. The use permit would allow CICM to engage in the title-pledge business at its current payday-loan location.

The Court of Appeals reversed, finding that the City's decision to deny the permit was not supported by substantial evidence, and thus the decision was arbitrary and capricious.

The Court agreed with CICM that its application for a use permit presented the evidence necessary to comply with the requirements for a use permit in section 1701.02-A of the Zoning Ordinance and that the City Council did not make any findings of fact to support of its conclusion that the grant of the use permit "will adversely affect the surrounding properties, or otherwise be detrimental to the public welfare."