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**BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE  
OF THE STATE OF IDAHO**

STATE OF IDAHO, DEPARTMENT OF  
FINANCE, CONSUMER FINANCE BUREAU,

Complainant,

vs.

ACCELERATED REVENUE MANAGEMENT,  
INC., dba A.R.M. SOLUTIONS, INC.

Respondent.

Docket No. 2012-9-15

**CONSENT ORDER**

The Director of the State of Idaho, Department of Finance (Director) has conducted a review of the collection activities in Idaho of ACCELERATED REVENUE MANAGEMENT, INC., dba A.R.M. SOLUTIONS, INC. (Respondent). Pursuant to such review, it appears to the Director that Respondent has violated provisions of the Idaho Collection Agency Act, Idaho Code § 26-2221 *et seq.* (the Act). The Director and Respondent have agreed to resolve this matter through this Consent Order rather than through a formal administrative proceeding or civil action. Therefore, the Director deems it appropriate and in the public interest that this Consent Order be entered. Respondent voluntarily consents to the entry of this Consent Order.

## RESPONDENT

1. Respondent was formed as a California corporation on April 21, 2005. Respondent is doing business as a collection agency. Respondent conducts business in Idaho from 3760 Calle Tecate, Suite B, Camarillo, California. Its President/CEO is Brad Jadwin.

## FACTS

2. From August 13, 2010 through March 15, 2011, Respondent held Idaho Collection Agency License No. CCA 8053, authorizing it to engage in collection activities in Idaho.

3. Idaho Code § 26-2231(1) and -(2) provide that a collection agency licensee must file with the Director a license renewal form providing complete information as required by the Director, and pay a fee of \$100 by March 15 of each year, in order for a license to be renewed. Failure to do so results in the automatic expiration of the license as of March 15 of the applicable year.

4. Respondent failed to meet the requirements of the Act for renewing its Idaho collection agency license by March 15, 2011.

5. On March 25, 2011, the State of Idaho, Department of Finance, Consumer Finance Bureau (Department) sent a letter to Respondent at its address of record with the Department informing Respondent that its Idaho collection agency license had expired effective March 15, 2011 by operation of law, due to Respondent's failure to comply with the renewal requirements of the Act by March 15, 2011. That letter also notified Respondent that it was prohibited from engaging in collection agency activities in Idaho without holding a license issued under the Act.

6. On April 27, 2012, the Department received a complaint from V.P., a resident of Ammon, Idaho. V.P. reported that she had been contacted by Respondent in or around March 19, 2012 regarding late fees allegedly owed to Hollywood Video, a now defunct video retailer. V.P. disputes she owes the debt being collected upon by Respondent.

7. After receiving V.P.'s complaint and noting that Respondent failed to hold an Idaho collection agency license, the Department began an investigation of Respondent's collection activities in Idaho. The Department's investigation included communicating with Respondent regarding the matters being investigated.

8. On May 4, 2012, as part of its investigation, the Department sent a letter to Respondent concerning V.P.'s complaint, and Respondent's apparent unlicensed collection activity in Idaho. In that letter, the Department requested that Respondent provide information necessary for the Department to determine the extent of Respondent's unlicensed collection activity in Idaho.

9. On May 24, 2012, the Department received a letter from Respondent dated May 17, 2012 in response to the Department's May 4, 2012 request representing that Respondent had become the service provider for the legal successor of Hollywood Video, and had erroneously received a list of Idaho debtors for which to collect against. Respondent further represented that after it received the Department's May 4, 2012 letter, it ceased collection activity on the Idaho accounts, and had added additional procedures as a safeguard against similar issues in the future. Respondent also indicated it would begin the licensing process in Idaho. Respondent provided the Department with a list of Idaho accounts as well.

10. On or about April 24, 2012, W.L. filed a complaint with the Consumer Protection Division of the Idaho Attorney General's Office (Consumer Protection Division) concerning his

dealings with Respondent. In her complaint, W.L. alleged that she had been contacted by Respondent in or around April 12, 2012 regarding late fees allegedly owed to Hollywood Video, a now defunct video retailer. W.L. disputes she owes the debt being collected upon by Respondent. On May 29, 2012, the Consumer Protection Division sent a letter to Respondent asking for a response to W.L.'s complaint. Additionally, the Consumer Protection Division referred the complaint to the Department.

11. On June 13, 2012, the Department sent a letter to Respondent concerning W.L.'s complaint. In that letter, the Department requested that Respondent address the concerns raised in W.L.'s complaint. Respondent complied with the Department's request on June 20, 2012.

12. From the information provided to the Department by Respondent, the Department concludes that Respondent engaged in collection activities against at least 758 Idaho consumers since at least January 2012, while it failed to hold a license under the Act. The Department further concludes that Respondent's collection efforts resulted in the collection of at least \$3,599 from Idaho consumers and which resulted in Respondent receiving fees in the total amount of \$1,415.84.

### **FINDINGS**

#### *ENGAGING IN UNLICENSED COLLECTION ACTIVITIES IN IDAHO*

13. The allegations set forth in paragraphs 1 through 12 above are fully incorporated herein by this reference.

14. Idaho Code § 26-2223 provides as follows, in pertinent part:

**26-2223. Collection agency, debt counselor, or credit counselor permits.** – No person shall without complying with the terms of this act and obtaining a license from the director:

(1) Operate as a collection agency, debt counselor, credit counselor, or credit repair organization in this state.

(2) Engage, either directly or indirectly, in this state in the business of collecting or receiving payment for others of any account, bill, claim or other indebtedness.

15. "Collection agency" means a person who engages in any of the activities enumerated in Idaho Code § 26-2223 (1) and (2), which are set forth in the previous paragraph.

16. Respondent's acts of engaging in collection activities in Idaho without a license, as referenced above, constitute violations of Idaho Code § 26-2223(1) and (2), as set forth in paragraphs 15 and 16 above. Each act of collecting constitutes a separate violation.

#### **REMEDIES**

17. Respondent admits to violations of Idaho Code § 26-2223(1) and (2), by engaging in collection activity in Idaho while not licensed under the Act, as referenced above.

18. Respondent agrees to immediately cease and desist from engaging in any and all collection activities in Idaho, to include collecting or receiving payment for others of any account, bill, claim or other indebtedness; making telephone calls related to collection activities, including automated calls; and mailing, faxing, e-mailing, or otherwise delivering communications to Idaho residents in connection with collection activities until such time as it obtains a license under the Act authorizing it to do so.

19. Respondent agrees to pay to the Department the sum of \$4,000 as an administrative penalty in settlement of the violations contained herein, and an additional amount of \$500 constituting investigative expenses and attorney fees incurred by the Department in pursuing this matter, for a total payment to the Department of \$4,500, by no later than November 16, 2012.

20. Respondent agrees to comply with all provisions of the Idaho Collection Agency Act, rules promulgated thereunder, and relevant federal law and regulations at all times in the future.

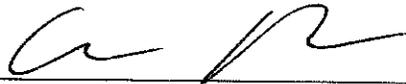
21. The Department agrees not to seek further penalties or fees from Respondent for the violations addressed in this Consent Order, other than as set forth in paragraph 19 above, if Respondent timely and fully complies with all provisions of this Consent Order.

22. Respondent acknowledges and understands that this Consent Order is an administrative action that must be disclosed to the Department on future licensing and renewal forms. The disclosure requirements of other states may also require disclosure of the same.

23. Respondent acknowledges and understands that should the Department learn of additional violations by Respondent of the Act, rules promulgated under the Act, or applicable federal laws and regulations relating to Respondent's collection activities in Idaho, the Department may pursue further legal action and seek additional remedies.

DATED this 20<sup>th</sup> day of November, 2012.

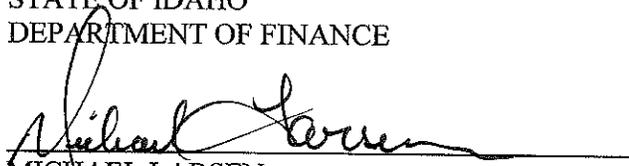
ACCELERATED REVENUE MANAGEMENT  
INC., dba A.R.M. SOLUTIONS, INC.

By: 

Title: V.P. Operations

DATED this 30<sup>th</sup> day of November, 2012.

STATE OF IDAHO  
DEPARTMENT OF FINANCE

  
MICHAEL LARSEN  
Consumer Finance Bureau Chief

**IT IS SO ORDERED.**

DATED this 30<sup>th</sup> day of NOVEMBER, 2012.



STATE OF IDAHO  
DEPARTMENT OF FINANCE

A handwritten signature in black ink, appearing to read "Gavin M. Gee", written over a horizontal line.

GAVIN M. GEE  
Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30<sup>th</sup> day of November, 2012, I served a true and correct copy of the foregoing CONSENT ORDER upon the following by the designated means:

Accelerated Revenue Management, Inc., dba	<input checked="" type="checkbox"/> U.S. mail, postage prepaid
A.R.M. Solutions, Inc.	<input type="checkbox"/> Certified mail
Attn: Paul Ferro, Compliance Manager	<input checked="" type="checkbox"/> Facsimile: (805) 830-1104
PO Box 2929	<input type="checkbox"/> Email:
Camarillo, CA 93011	

A handwritten signature in black ink, written over a horizontal line.

Paralegal