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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.

ASSIGNED CREDIT SOLUTIONS, INC.

Respondent.

Docket No. 2015-9-01

CONSENT ORDER

The Director of the State of Idaho, Department of Finance (Director) has conducted a review of the Idaho collection activities of ASSIGNED CREDIT SOLUTIONS, INC. (Respondent). Pursuant to said 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 or civil action. Therefore, the Director deems it appropriate and in the public interest that this Consent Order be entered. Respondent consents to the entry of this Consent Order.

FACTS

1. Respondent was formed as a New Jersey corporation on May 14, 2007. It received a Certificate of Authority from the Idaho Secretary of State in 2007, and filed a Certificate of Authority with the Idaho Secretary of State on November 10, 2014. Respondent conducts a third party collection agency business from 10000 Lincoln Drive West, Suite 8, West Marlton, New Jersey. Respondent has never held an Idaho collection agency license. It submitted an application for licensure with the Department on December 11, 2014.

2. On August 19, 2013, Respondent contracted with MSW Capital, LLC, (MSW) to collect on money owed to MSW from Idaho residents. In September of 2014, Respondent began collection attempts against Idaho customers. Specifically, it contacted CM, an Idaho resident, indicating it was collecting a debt CM allegedly owed to Credit One Bank. CM and representatives of Respondent had several phone calls discussing the debt. On September 18, 2014, CM received a collection letter from Respondent seeking payment. In the letter Respondent represented it was collecting as an agent of MSW.

3. CM was concerned about some of the alleged representations made by agents of Respondent. He contacted the Department and then on September 28, 2014, he filed a written complaint with the Department. On October 31, 2014, the Department sent a letter to MSW, which is an Idaho licensee. The Department provided a copy of the letter sent to CM and asked for MSW's response. The letter was sent to MSW because it was licensed and Respondent was not.

4. Upon receipt of the Department's letter, MSW contacted Respondent. Respondent thought it was licensed with the Department to engage in collection activity in

Idaho, but upon checking it determined it had only filed a license application. MSW then immediately pulled all Idaho collection files from Respondent.

5. On December 1, 2014, MSW provided a written response to the Department. It stated it had assigned a total of four hundred seventy nine (479) Idaho debtor accounts to the Respondent for collection, but that it had now recalled all of those accounts. On approximately twenty (20) accounts, Respondent had obtained a payment arrangement. MSW represented to the Department that it would forgive those debts and notify the debtors.

6. On December 11, 2014, the Department received an application for licensure from Respondent. On December 15, 2014, the Department inquired of Respondent about its collection activities in Idaho. Respondent verified that it had ceased all collection activities in Idaho on behalf of MSW and any other creditors.

CONCLUSIONS OF LAW AND VIOLATIONS

The allegations set forth in paragraphs 1 through 6 above are fully incorporated herein by this reference.

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

26-2223. Collection agency, debt counselor, credit counselor, or credit repair organization—License required.-- . No person shall with 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.

7. Respondent's act of attempting to operate as a collection agency without a license constitutes a violation of Idaho Code § 26-2223(1), as set forth above.

8. Respondent's act of engaging in this state of collecting payments for others without a license constitutes a violation of Idaho Code § 26-2223(2), as set forth above.

REMEDIES

9. Respondent admits to the allegations contained in this Consent Order.

10. Respondent admits to violations of Idaho Code § 26-2223(1) and (2) by failing to obtain a license from the Director, as referenced above.

11. Respondent agrees to pay to the Department the sum of five thousand dollars (\$5,000) as an administrative penalty in settlement of the violations contained herein, and an additional amount of five hundred dollars (\$500) constituting investigative expenses and attorney fees incurred by the Department in pursuing this matter, for a total payment to the Department of five thousand five hundred dollars (\$5,500), by no later than March 27, 2015.

12. 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.

13. When Respondent has executed this Consent Order and timely paid to the Department the five thousand five hundred dollars (\$5,500) payment referenced in paragraph 11 above, the Department agrees to accept and consider the license application already submitted by Respondent. Further, the Department agrees that it will not consider this Consent Order as the basis for denial of Respondent's license application.

14. 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 11 above, if Respondent timely and fully complies with all provisions of this Consent Order.

15. 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.

16. 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 28th day of APRIL, 2015.

ASSIGNED CREDIT SOLUTIONS, INC.

By: Chris Bushbury

Title: PRESIDENT

DATED this 5th day of May, 2015.

STATE OF IDAHO
DEPARTMENT OF FINANCE

Michael Larsen

MICHAEL LARSEN
Consumer Finance Bureau Chief

IT IS SO ORDERED.

DATED this 5th day of MAY, 2015.

STATE OF IDAHO
DEPARTMENT OF FINANCE

Gavin M. GEE

GAVIN M. GEE, Director



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of May, 2015, I caused a true and correct copy of the foregoing fully-executed CONSENT ORDER to be served on the following by the designated means:

Assigned Credit Solutions, Inc.
~~1000 Lincoln Drive West, Suite 8~~
~~West Marlton, NJ 08053~~

701 ROUTE 73 N, STE 8
MARLTON, NJ 08053

- U.S. mail, postage prepaid
- certified mail
- facsimile: (856) 667-0444
- email:

Paralegal

