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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,)	
)	Docket No. 2009-9-21
Complainant,)	
)	CONSENT ORDER
vs.)	
)	
WASHINGTON COLLECTORS TRI-CITIES, INC., dba SPOTCHECK, and dba SPOTCHECK, A DIVISION OF WASHINGTON COLLECTORS TRI-CITIES, INC.,)	
)	
Respondent.)	

The Director of the State of Idaho, Department of Finance, Consumer Finance Bureau (Director) has conducted a review of the Idaho collection activities of Washington Collectors Tri-Cities, Inc., dba Spotcheck; and dba Spotcheck, a Division of Washington Collectors Tri-cities, Inc. (the Respondent). Pursuant to said review, it appears to the Director that the Respondent has violated provisions of the Idaho Collection Agency Act, Idaho Code § 26-2221 *et seq.* (the Act). The Director and the 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. The Respondent voluntarily consents to the entry of this Consent Order.

RESPONDENT

1. The Respondent is a Washington corporation that conducts a collection agency business from 510 N. 20th Avenue, Suite D, Pasco, Washington 99301. The Respondent's president/general manager is Sean Lamb.

FACTS

2. The Respondent held Idaho Collection Agency License No. CCA 3665 from May 25, 1995 until March 15, 2009. March 15, 2009 was the deadline for the Respondent to complete all requirements for renewal of such license. Because the Respondent failed to do so, on that date the Respondent's Idaho collection agency license terminated due to its failure to meet license renewal requirements.

3. On March 25, 2009, the State of Idaho, Department of Finance, Consumer Finance Bureau (Department) notified the Respondent that its Idaho collection agency license had terminated, and that it was prohibited from engaging in collection activities in Idaho while not licensed under the Act.

4. On or about September 2, 2009, the Department received a complaint submitted by H.T., a resident of Meridian, Idaho, who had been contacted by the Respondent in an attempt to collect a debt purportedly owed by H.T. Such complaint and information later provided to the Department by the Respondent indicated that the Respondent had collected against H.T. after the termination of its Idaho collection agency license on March 25, 2009.

5. On September 15, 2009, the Department received an application for a new Idaho collection agency license submitted by the Respondent. During the application process, a

Department staff member requested that the Respondent provide detailed information concerning the extent of its unlicensed collection activity in Idaho from March 15, 2009 to the date of that request. In response to that request, the Respondent provided the Department with information showing that during the time period between March 16, 2009 and at least late September of 2009, it had collected from at least 34 Idaho consumers while it failed to hold the license required by the Act.

FINDINGS OF VIOLATIONS

ENGAGING IN COLLECTION AGENCY ACTIVITY WITHOUT A LICENSE

6. The allegations set forth in paragraphs 1 through 5 above are fully incorporated herein by this reference

7. 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 without complying with the terms of this act and obtaining a license from the director:

(1) Operate as a collection agency ... 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.

...

8. The Respondent's acts of engaging in collection agency activity in Idaho without the license required by the Act, as referenced in paragraphs 4 and 5 above, constitute violations of Idaho Code § 26-2223(1) and -(2). Each act of collecting in Idaho without a license constitutes a separate violation.

REMEDIES

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

10. Upon the execution of this Consent Order, and by no later than December 11, 2009, the Respondent agrees to pay to the Department an administrative penalty in the amount of

\$1,000 and the amount of \$500 for investigative expenses and attorney fees incurred by the Department in pursuing this matter, for a total payment to the Department of \$1,500 in penalties, fees and expenses.

11. Upon execution by the Respondent of this Consent Order and payment to the Department of the \$1,500 referenced in paragraph 12 above, the Department agrees to issue to the Respondent a collection agency license under the Act, provided that the Respondent has complied with all requirements for the issuance of such license under the Act.

12. The Respondent agrees to abide by all provisions of the Idaho Collection Agency Act and rules promulgated thereunder at all times in the future.

13. The Respondent agrees that the findings of fact and violations contained herein may be used in any subsequent proceeding resulting from any breach by the Respondent of the terms of this Consent Order or future violations of the Act, rules promulgated thereunder, or relevant federal laws and regulations.

14. The Department agrees not to seek further penalties or fees for the violations identified in this Consent Order other than as set forth in the Remedies section of this Consent Order, as the Respondent fully complies with the terms of this Consent Order.

15. The 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.

DATED this 3rd day of December, 2009.

WASHINGTON COLLECTORS TRI-CITIES,
INC., dba SPOTCHECK, and dba SPOTCHECK, A
DIVISION OF WASHINGTON COLLECTORS
TRI-CITIES, INC.

By: Sean Lamb
President
Title

DATED this 8th day of December, 2009.

STATE OF IDAHO
DEPARTMENT OF FINANCE

[Signature] For M. Larsen,
MICHAEL LARSEN
Consumer Finance Bureau Chief

IT IS SO ORDERED.

DATED this 8th day of December, 2009.

STATE OF IDAHO
DEPARTMENT OF FINANCE

[Signature] / for
GAVIN M. GEE, Director



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9 day of December, 2009, I caused a true and correct copy of the foregoing fully-executed CONSENT ORDER to be served on the following by the designated means:

Washington Collectors Tri-Cities, Inc.
Attn: Sean Lamb
510 N. 20th Avenue, Suite D
Pasco, Washington 99301

- U.S. mail, postage prepaid
- certified mail
- facsimile _____



Paralegal