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

In the Matter of:

BRYANT, HODGE and
ASSOCIATES, LLC, DBA: BHA,
BHA SERVICES, BHA BILL
PAY,

Respondent.

Docket No. 2023-9-6

**ORDER TO CEASE AND
DESIST**

The State of Idaho, Department of Finance staff (Department), pursuant to the Idaho Collection Agency Act, Idaho Code § 26-2221 *et seq.* (the Act), represents the following facts that constitute a basis for the issuance of an order pursuant to § 26-2244(1) of the Act, requiring BRYANT, HODGE and ASSOCIATES, LLC, DBA: BHA, BHA SERVICES, BHA BILL PAY (Respondent) to immediately cease and desist from violating the Act.

RESPONDENT

1. According to its website, www.bhabillpay.com, Respondent conducts a third-party collection business. Addresses the Department located and the basis for those addresses are as follows:

- a. An address listed on Respondent's website and with the Better Business Bureau is 373 South Willow St, Ste/Unit 121, Manchester, NH 03103.
- b. The address listed with the Maine Secretary of State is for Respondent's clerk/registered agent, CT Corporation System, 128 State St. #3, Augusta, ME 04330. Respondent was a registered entity with Maine, but their foreign entity status was revoked.
- c. The address listed with the New Hampshire Secretary of State is 20 State Street, Bangor, ME 04401, and also 373 South Willow St Ste 121, Manchester, NH 03103. Respondent also has a registered agent listed as CT Corporation System, 9 Capitol Street, Concord, NH 03301.

2. Respondent has never applied for nor ever been issued any license in Idaho under the Act.

3. The Department reviewed Respondent's website, which was still active as of August 1, 2023, and it represented the following to potential clients:

- "BHA Services is a collection agency dedicated to helping consumers and creditors bridge the gap without the process of civil court. We are committed to fully explaining why you owe money and coming up with the best plan for both parties."
- "We aim to help consumers regain control of their financial situation while ensuring creditors receive the payments they are rightfully owed.

Together, we can navigate the complexities of debt resolution and work toward a brighter financial future for all parties involved."

4. The Department found many complaints against Respondent by running a search with the Better Business Bureau, Consumer Financial Protection Bureau, and also found an action taken against Respondent by the North Dakota Consumer Protection & Antitrust Division.

ACTIVITY

5. On March 7, 2023, the Department received a complaint from Idaho resident, R.W., regarding Respondent's collection activity against him.

6. R.W. indicated that on February 27, 2023, he received a phone call and email from BHA Services for a 2019 debt. He provided documentation to BHA Services that the debt had been settled and paid.

R.W. provided his settlement agreement with the original collection agency and the email he received from BHA Services.

7. The Department then determined that Respondent was not licensed by the Department to conduct collection business in Idaho and is not on record with the Idaho Secretary of State. Based on New Hampshire Secretary of State records, the Department noted that BHA is categorized as a trade name. An internet search by the Department connected BHA Services to Bryant, Hodge and Associates, LLC. The Department also found that Respondent represents itself to consumers as BHA Services and BHA Bill Pay.

8. On March 30, 2023, the Department sent a certified letter via USPS to Respondent at the address listed for Respondent on its website, the correspondence with R.W., with the New Hampshire Secretary of State, and noted by the Better Business Bureau. The letter sent to the Manchester, NH address was signed for by "S. Hill" and successfully delivered on April 4, 2023. However, the Respondent did not contact the Department.

9. In the March 30, 2023, letter, the Department notified Respondent it received information related to R.W. and that Respondent was engaging in debt collection activity in Idaho without a license. The Department requested all of Respondent's documents relating to the assignment of the debt against R.W. The Department also directed

Respondent to cease all third-party collection activities in Idaho and to provide information necessary for the Department to determine the extent of Respondent's unlicensed debt collection activities in Idaho. Further, the letter advised Respondent of the license requirement for engaging in collection activities regulated under the Act in Idaho, and informed Respondent of the possible sanctions under the Act for unlicensed activity. The letter also informed Respondent of the process for obtaining a license. The Department required that Respondent provide all the requested information by April 30, 2023.

10. On May 17, 2023, the Department sent a second certified letter via USPS to Respondent at the same address. This letter included and referenced the March 30, 2023, letter previously sent. The Department required that Respondent provide all the requested information by May 30, 2023. This letter was signed for and successfully delivered. However, again, Respondent did not contact the Department.

11. To date, Respondent has failed to respond to the Department's correspondence or file an application for licensure with the Department.

12. Based on information provided to the Department and described above, the Respondent has engaged in debt collection activity in Idaho and is not licensed, in violation of the Act.

CONCLUSIONS OF LAW AND VIOLATIONS

UNLICENSED COLLECTION ACTIVITY 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, 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, 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.
- (3) Solicit or advertise in this state to collect or receive payment for another of any account, bill, claim or other indebtedness.

15. Respondent's acts of engaging in collection activities in Idaho without a license, as referenced above, constitute violations of Idaho Code § 26-2223. Each contact made by Respondent to the Idaho resident for the purposes of collection constitutes a separate violation.

16. Idaho Code § 26-2244(1) provides that whenever it appears to the Director that it is in the public interest, she may order any person to cease and desist from acts, practices, or omissions which constitute a violation of the Act.

ORDER

The Director, having reviewed the foregoing, good cause being shown, and the public interest being served thereby,

NOW, THEREFORE, the Director HEREBY FINDS that Respondent has violated the Idaho Collection Agency Act as set forth above.

Pursuant to Idaho Code § 26-2244(1), IT IS HEREBY ORDERED that Respondent and its agents and employees immediately CEASE AND DESIST from acts, practices, or omissions which constitute a violation of the Act, including specifically from engaging in collection activity in Idaho without the license required by the Act.

This ORDER TO CEASE AND DESIST is effective upon issuance.

IT IS SO ORDERED.

DATED this 12th day of September 2023.



STATE OF IDAHO
DEPARTMENT OF FINANCE

A handwritten signature in black ink, appearing to read "Patricia R. Perkins", written over a horizontal line.

PATRICIA R. PERKINS, Director

NOTICE

Respondents are HEREBY NOTIFIED that this ORDER TO CEASE AND DESIST is a final order of the Director.

Respondents may file a motion for reconsideration or request for hearing concerning this final order within twenty-one (21) days of the service date of this order. Any such motion for reconsideration or request for hearing must be in writing, addressed to:

Erin Van Engelen
Consumer Finance Bureau Chief
Idaho Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031

A copy of such motion for reconsideration or request for a hearing shall also be served on the Department's counsel, Erick M. Shaner, Deputy Attorney General, at the same address. Alternatively, the Respondents may email any request for reconsideration or hearing to: CFLegal@finance.idaho.gov.

The Department will dispose of a motion for reconsideration within twenty-one (21) days of the receipt of a motion for reconsideration, or the motion will be considered denied by operation of law. Idaho Code § 67-5246(4); Idaho Rules of Administrative Procedure of the Attorney General (IRAP) at IDAPA 4.11.01.740.02.a.

Should Respondents make a timely request for a hearing, the Director will vacate this final order and appoint a hearing officer to review the matter

de novo and issue a preliminary order and the matter shall proceed pursuant to the Administrative Procedures Act and IRAP.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of September 2023, I caused a true and correct copy of the foregoing fully-executed ORDER TO CEASE AND DESIST to be served on the following by the designated means:

Bryant, Hodge and Associates, LLC, dba BHA, BHA Services, BHA Bill Pay 373 South Willow St Ste 121 Manchester, NH 03103	<input checked="" type="checkbox"/> U.S. mail, postage prepaid <input checked="" type="checkbox"/> certified mail <input type="checkbox"/> facsimile: <input type="checkbox"/> email: bwilson@bhabillpay.com bfuller@bhabillpay.com
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Bryant, Hodge and Associates, LLC, dba BHA, BHA Services, BHA Bill Pay c/o CT Corporation System 128 State St. #3 Augusta, ME 04330	<input checked="" type="checkbox"/> U.S. mail, postage prepaid <input checked="" type="checkbox"/> certified mail <input type="checkbox"/> facsimile: <input type="checkbox"/> email:
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Bryant, Hodge and Associates, LLC, dba BHA, BHA Services, BHA Bill Pay c/o Brandon S Wilson, Sr 809 Western Ave Hampden, ME 04444	<input checked="" type="checkbox"/> U.S. mail, postage prepaid <input checked="" type="checkbox"/> certified mail <input type="checkbox"/> facsimile: <input type="checkbox"/> email:
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Bryant, Hodge and
Associates, LLC, dba BHA,
BHA Services, BHA Bill
Pay
20 State Street
Bangor, ME 04401

U.S. mail, postage prepaid
 certified mail
 facsimile:
 email:

brandonwilson@bryanthodgeassociates.com

Bryant, Hodge and Associates,
LLC, dba BHA, BHA Services,
BHA Bill Pay
c/o CT Corporation System
9 Capitol Street
Concord, NH 03301

U.S. mail, postage prepaid
 certified mail
 facsimile:
 email:



for Erick Staker
Deputy Attorney General