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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.

ALPHA SERVICES, INC.

Respondent.

Docket No. 2013-9-03

CONSENT ORDER

The Director of the State of Idaho, Department of Finance (Director) has conducted a review of the debt settlement activities in Idaho of ALPHA SERVICES 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 organized as a Connecticut corporation on June 3, 2011. Respondent provides financial planning and specializes in settling payday loan debt on behalf of its customers. Respondent's business address is 143 West Street, Suite 17, New Milford, CT 06776. Its president is Chris Rubini.

FACTS

2. Respondent has never applied for nor ever held a license under the Idaho Collection Agency Act, authorizing it to engage in debt settlement activities in Idaho.

3. On August 16, 2012, the Department received a complaint from an Idaho business alleging the Respondent was engaging in debt settlement activities in Idaho without a license. The Respondent had contacted the Idaho business, advising the business that it represented a certain client and that the business' contacts with this client be through Respondent.

4. After receiving the complaint and noting that Respondent has never had an Idaho collection agency license, the Department began an investigation of Respondent's debt settlement activities in Idaho. The Department's investigation included communicating with Respondent regarding the matters being investigated.

5. On September 11, 2012, the Department made inquiry to Respondent about its Idaho activity. Respondent replied on October 2, 2012. The Department followed up with a request on November 19, 2012 for additional information and for Respondent to obtain an Idaho license. The Respondent replied on December 12, 2012, January 18, 2013, and February 11, 2013, The Respondent was cooperative in replying to the Department's request for information.

6. The Respondent provided a pipeline report to the Department that disclosed Respondent had offered or arranged to engage in debt settlement or credit counseling services

with six Idaho consumers. The Respondent charged Idaho consumers setup fees ranging from \$100 to \$250, monthly fees ranging from \$45 to \$100 and non-sufficient fees of \$25. The Department alleges these actions are in violation of the Idaho Collection Agency Act.

7. The Respondent denies it has violated Idaho law and disputes any allegations of wrongdoing asserted by the Department against the Respondent.

FINDINGS OF THE DIRECTOR

UNLICENSED DEBT COUNSELING OR CREDIT COUNSELING ACTIVITIES

8. The allegations set forth in paragraphs 1 through 7 above are fully incorporated herein by this reference.

9. Idaho Code § 26-2222(9) defines “debt counselor” or “credit counselor” as “any person engaged in any of the activities enumerated in subsection (7) of section 26-2223” of the Act.

10. Idaho Code § 26-2223(7) 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:

* * * *

(7) Engage or offer to engage in this state directly or indirectly, in the business of receiving money from debtors for application or payment to or prorating of a debt owed to, any creditor or creditors of such debtor, or engage or offer to engage in this state in the business of providing counseling or other services to debtors in the management of their debts, or contracting with the debtor to effect the adjustment, compromise, or discharge of any account, note or other indebtedness of the debtor.

...

11. The Department alleges Respondent’s acts of engaging in debt or credit counseling activity in Idaho without a license, as referenced above, constitute violations of Idaho Code § 26-2223(7). The Department alleges each act of collecting constitutes a separate violation.

12. The Respondent admits it contracted with Idaho consumers but denies it violated the Act.

REMEDIES

13. Respondent certifies that the information provided to the Department is true and accurate, and that it reflects all activities Respondent has ever engaged in with Idaho residents.

14. Respondent agrees to immediately cease and desist from engaging in any debt settlement activities on behalf of Idaho residents, shall close all accounts with Idaho residents related to such activities, and shall exclude the state of Idaho from all advertising and promotion of its debt settlement services, until such time as it obtains the appropriate license under the Act to engage in such activities in Idaho.

15. Respondent agrees to pay to the Department the sum of \$2,500 as an administrative penalty in settlement of the alleged violations contained herein no later than June 21, 2013.

16. The Department agrees not to seek further penalties or fees for the alleged violations identified in this Consent Order, other than those identified above, so long as Respondent fully and timely complies with the terms of this Consent Order. If the Department later determines that any of the information provided to the Department by Respondent is inaccurate, the Department may seek further penalties and restitution from Respondent.

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

DATED this 13 day of June, 2013

ALPHA SERVICES INC

[Signature]

By: Chris Rubini

Title: President

DATED this 20th day of June, 2013.

STATE OF IDAHO
DEPARTMENT OF FINANCE

[Signature]

MICHAEL LARSEN
Consumer Finance Bureau Chief

IT IS SO ORDERED.

DATED this 24th day of JUNE, 2013.

STATE OF IDAHO
DEPARTMENT OF FINANCE

[Signature]

GAVIN M. GEE
Director



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of June, 2013, I served a true and correct copy of the foregoing CONSENT ORDER upon the following by the designated means:

Christopher P. Meier, Esq.
100 West Cypress Creek Rd #700
Fort Lauderdale, FL 33309

- U.S. mail, postage prepaid
- Certified mail
- Facsimile:
- Email: Christopher.Meier@gmlaw.com

[Signature]
Paralegal