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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.

DCN HOLDINGS, INC. dba
ACCOUNTSRECEIVABLE.COM

Respondent.

Docket No. 2019-9-02

ORDER TO CEASE AND DESIST

The State of Idaho, Department of Finance (Department), pursuant to the Idaho Collection Agency Act, Idaho Code § 26-2221 *et seq.* (the Act), hereby alleges the following facts that constitute a basis for the issuance of an order pursuant to § 26-2244(1) of the Act, requiring DCN HOLDINGS, INC. dba ACCOUNTSRECEIVABLE.COM (referred to herein as “Respondent”), to immediately cease and desist from violating the Act.

RESPONDENT

1. Respondent is a Florida based corporation, which holds a commercial collection license through the Florida Office of Financial Regulation. From information filed with the Florida Secretary of State, Respondent lists its principal address as 1806 33rd Street, Suite 180, Orlando, Florida. Karla L. Brown is identified as a director and a registered agent.

2. Respondent does not presently hold, nor ever has held, an Idaho collection agency license. It has never held any license in a state that licenses entities through the Nationwide Multistate Licensing System and Registry (NLMSR).

FINDINGS OF FACT

3. On September 6, 2018, Idaho resident, R.P. filed a complaint with the Department alleging that Respondent violated provisions of the Act.

4. In his complaint, R.P. stated that a representative for Respondent, "Manuel Rosario," called him on August 7, 2018, and attempted to collect a debt on behalf of Respondent's client. After R.P. told him to quit calling R.P.'s cell phone and home phone and hung up, Rosario continued to call both of these phones and left threatening and abusive voicemails.

5. Additionally, Rosario sent an email to R.P. on August 7, 2018. The email said that since R.P.'s business had not resolved the debt owed to Respondent's client, the client would "file UCC liens" against R.P.'s business. Rosario further stated that he intended to perfect a lien to ensure that any payments received will be directed to the lien holder.

6. A Department examiner reviewed the complaint and after reviewing the records of the Department determined that Respondent did not have a collection agency license. She

sent a certified letter to Respondent on September 28, 2018, seeking information necessary for the Department to determine the extent of Respondent's unlicensed debt collection activities in Idaho and all documents related to the assignment of the debt against R.P.'s business. Further, the letter advised Respondent of the license requirement for engaging in activities regulated under the Act in Idaho. The examiner requested Respondent reply by October 19, 2018. The letter was signed for by "John" at Respondent's place of business. Receiving no reply, the examiner sent a follow up certified letter on October 31, 2018, which was refused.

7. Based on the information contained in R.P.'s complaint, the Department concludes that Respondent has engaged in unlicensed collection activity in the State of Idaho.

CONCLUSIONS OF LAW AND VIOLATIONS

COUNTS ONE THROUGH THREE: UNLICENSED COLLECTION ACTIVITY IN IDAHO

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

9. 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.

10. A "collection agency" is defined in Idaho Code § 26-2222(4) as the activities enumerated in Idaho Code § 26-2223(2).

11. Respondent's acts of engaging in collection agency activities in Idaho without a license, as referenced above, constitute violations of Idaho Code § 26-2223(1) and (2).

REQUESTED RELIEF

12. Idaho Code § 26-2244(1) provides that whenever it appears to the Director that it is in the public interest, he 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.

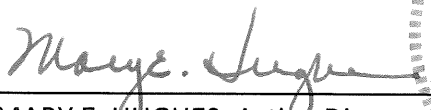
Pursuant to Idaho Code § 26-2244(1), IT IS HEREBY ORDERED that Respondent and its agents and employees immediately CEASE AND DESIST from acts, practices, or omissions which constitute a violation of the Act, including specifically from engaging in collection activity in Idaho without the license required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

This ORDER TO CEASE AND DESIST is effective upon issuance.

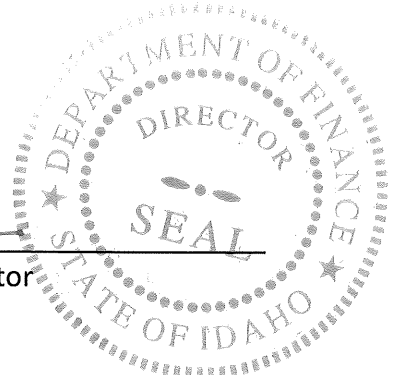
IT IS SO ORDERED.

DATED this 11th day of February, 2019.

STATE OF IDAHO
DEPARTMENT OF FINANCE



MARY E. HUGHES, Acting Director



NOTICE

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

Respondent may file a motion for reconsideration or request for hearing concerning this final order within fourteen (14) days of the service date of this order. Any such motion for reconsideration or request for hearing must be in writing, addressed to:

Anthony Polidori
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, Brian D. Nicholas, Deputy Attorney General, at the same mailing address.

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 Respondent make a timely request for a hearing, the Department shall schedule a hearing within the twenty-one (21) day time period.

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal to the district court by filing a petition in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;

- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

See IDAPA 04.11.01.740.02.b.

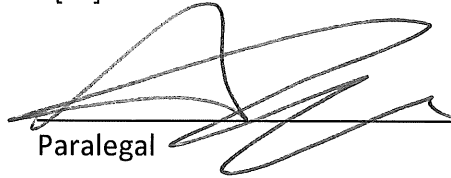
An appeal must be filed within twenty-eight (28) days of (a) the service date of this final order, (b) of an order denying a motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration or schedule a hearing, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to the district court does not itself stay the effectiveness or enforcement of the order under appeal. See IDAPA 04.11.01.740.02.c.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of February, 2019, 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:

DCN Holdings, Inc. dba
ACCOUNTSRECEIVABLE.COM
1806 33rd Street, Suite 180,
Orlando, FL 32839-8846

- U.S. mail, postage prepaid
- Certified mail
- Facsimile: 1-877-730-5805
- Email:



Paralegal