LAWRENCE WASDEN Attorney General

THOMAS A. DONOVAN – I.S.B. #4377
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031
Telaphanan (200) 232, 2001

Telephone: (208) 332-8091 Facsimile: (208) 332-8016

tom.donovan@finance.idaho.gov

## BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE

## OF THE STATE OF IDAHO

In re:  DYNAMIC COLLECTORS, INCORPORATED Collection Agency License No. CCA-9697,	Docket No. 2019-9-05  CONSENT ORDER
Licensee.	

The Idaho Department of Finance (Department) and DYNAMIC COLLECTORS,

INCORPORATED (the Licensee) agree to the entry of this Consent Order following the filing of
the Verified Complaint in this matter. The Licensee voluntarily consents to the entry of this

Consent Order, admits and agrees to the facts, legal conclusions, and remedies contained
herein, and knowingly waives its right to hearing on this matter. The Director, by signing below,
has agreed with the parties to resolve this matter through the Consent Order rather than
through a formal administrative action upon hearing.

## FACTS, LEGAL CONCLUSIONS, AND REMEDIES

- 1. The Licensee is a corporation domiciled in the state of Washington, conducting business from 790 S. Market Blvd., Chehalis, Washington 98532. The Licensee has been registered as a Foreign Business Corporation with the Idaho Secretary of State since November 2016.
- 2. The Licensee is licensed by the Idaho Department of Finance (Department) as a collection agency and has been since approximately July 31, 2017, holding License No. CCA-9697 pursuant to the Idaho Collection Agency Act, Idaho Code § 26-2221 *et seq.* (the Act).
- 3. Pursuant to Idaho code § 26-2232, all licensees shall maintain a surety bond in the minimum amount of \$15,000 or higher amount based on the volume of business conducted in Idaho. The Licensee filed its 2019 Collection Agency Licensee Surety Bond Calculation form dated April 15, 2019, which was received by the Department on April 25, 2019. The Licensee calculated its bond amount to be \$20,000 based on the Idaho payments it collected during 2018. The Licensee failed to increase its bond amount to \$20,000 and thereby violated Idaho Code § 26-2232.
- 4. The Department issued two notices on April 26 and May 14, 2019, utilizing the Nationwide Multistate Licensing System (NMLS) to inform the Licensee of its need to increase its total bond amount from \$15,000 to \$20,000 effective March 15, 2019. The Licensee maintains that its failure to see these notices was inadvertent.
- 5. On June 10, 2019, the Department issued a Verified Complaint to the Licensee.

  The Licensee responded by notifying the Department that as of June 21, 2019, it had addressed

the bond deficiency by increasing its bond amount to \$20,000 consistent with its 2018 Annual Report filing and retroactive to March 15, 2019, as required Idaho Code § 26-2232(3).

6. Because the Licensee had a period of approximately three months where it had an insufficient bond amount, it is appropriate that the Licensee pay a penalty of \$1,500, and the Licensee agrees to pay such fine no later than July 9, 2019. In exchange for the Licensee's cure of the bond deficiency and its agreement to pay \$1,500 no later than July 9, 2019, the Department agrees that the entry of this Consent Order will fully resolve the matters raised in the Verified Complaint and that it may not seek any other relief against the Licensee based on the facts raised therein.

DATED this	day of	<u>June</u> , 2019.
		DYNAMIC COLLECTORS, INCORPORATED
		By: Kelon Hamilton
		Director of Compliance
		Title
00		
DATED this	day of	1 me, 2019.
		STATE OF IDAHO
		DEPARTMENT OF FINANCE
		ANTHONY POLIDORI
		Consumer Finance Bureau Chief

## IT IS SO ORDERED.

DATED this 29th day of	, 2019.		
STATE OF IDAHO DEPARTMENT OF FINANCE  MARY E. HUGHES, Acting Director  CERTIFICATE OF SERVICE			
I HEREBY CERTIFY that on this da and correct copy of the foregoing CONSENT O designated means:	ny of, 2019, I caused a true RDER to be served on the following by the		
Dynamic Collectors, Incorporated	[ ] U.S. Mail, postage prepaid		
790 S. Market Blvd.	[ ] Certified mail		
Chehalis, WA 98532	[ ] Facsimile: [ X] Email: dcilegal@qwestoffice.net		
Joshua Evett	[ ] U.S. Mail, postage prepaid		
Elam & Burke, PA	[ ] Certified mail		
PO BOX 1539	[ ] Facsimile:		
Boise, ID 83702	[x] Email: jse@elamburke.com		
Thomas Donovan	[ ] U.S. Mail, postage prepaid		
Dept. of Finance	[ ] Certified mail		
PO BOX 83702	[ ] Facsimile:		
Boise, ID 83720-0031	[X] Email: tom.donovan@finance.idaho.gov		
	Paralegal		