

LAWRENCE WASDEN
Attorney General

Erick M. Shaner – I.S.B. #5214
Deputy Attorney General
State of Idaho
Department of Finance
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Attorney for Department of Finance Consumer Finance Bureau Staff

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

In re:

MAMMOTH TECH, INC.,
Collection Agency License No. CCA-7365,
NMLS ID 1117950,

Licensee.

Docket No. 2022-09-02

**NOTICE OF PROPOSED DEFAULT ORDER
FOR REVOCATION OF IDAHO COLLECTION
AGENCY LICENSE**

The State of Idaho, Department of Finance (the “Department”), being authorized and directed to administer and enforce the Idaho Collection Agency License Act, Idaho Code § 26-2201 *et seq.* (the Act), hereby gives notice of proposed default order pursuant to Idaho Code § 67-5242(4) and Idaho Rules of Administrative Procedure 04.11.01.270.01 and 04.11.01.700.

The default order is proposed to be issued because of the failure of MAMMOTH TECH, INC. (the Licensee) to file an answer to the Verified Complaint for Revocation of Idaho Collection

agency License and Notice of the Opportunity to Request a Hearing (the Verified Complaint), which was issued and served upon the Licensee on July 18, 2022. The Licensee also failed to assert its right to request an administrative hearing on the matter twenty-one (21) days after it was served with the Verified Complaint.

Within seven (7) days after service of this notice and the proposed default order, attached as Exhibit A, the Licensee may file a written petition requesting the proposed order be vacated and not entered as a final order. The petition must state the grounds why the petitioning party believes that default should not be entered. A copy of the written petition shall be served on the Department's counsel in this matter:

Erick M. Shaner
Deputy Attorney General
Idaho Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031
Erick.shaner@finance.idaho.gov

If the Licensee fails to file a written petition as described above, the proposed default order will be submitted to the Director for issuance.

DATED this 15th day of August 2022.

STATE OF IDAHO
OFFICE OF ATTORNEY GENERAL



ERICK M SHANER
Deputy Attorney General

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on this 15th day of August 2022 I caused a true and correct copy of the foregoing NOTICE OF PROPOSED DEFAULT ORDER FOR REVOCATION OF IDAHO COLLECTION AGENCY LICENSE to be served on the following by the designated means:

Mammoth Tech, Inc
250 Geneva Boulevard
Defiance, Ohio 43512

U.S. Mail, postage prepaid
 Certified mail
 Facsimile:
 Email: mtilicensure@mammothtech.com

Business Filings Incorporated
921 S Orchard St, Ste G
Boise, ID 83705

U.S. Mail, postage prepaid
 Certified mail
 Facsimile:
 Email:



Paralegal

EXHIBIT A

LAWRENCE WASDEN
Attorney General

Erick M. Shaner – I.S.B. #5214
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031
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Attorney for Department of Finance Consumer Finance Bureau Staff

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

In re:

MAMMOTH TECH, INC.,
Collection Agency License No. CCA-7365,
NMLS ID 1117950,

Licensee.

Docket No. 2022-09-02

**DEFAULT ORDER FOR REVOCATION OF
IDAHO COLLECTION AGENCY LICENSE**

Upon issuance and service of the Verified Complaint for Revocation of Idaho Collection Agency License and Notice of the Opportunity to Request a Hearing (Notice), MAMMOTH TECH, INC. (the Licensee), failed to assert its right to request an administrative hearing on the matter twenty-one (21) days after it was served. Following that, on _____, 2022, the Idaho Department of Finance (Department) served a Notice of Proposed Default Order upon the Licensee. The seven (7) day period within which to file a petition showing good cause why a default order should not be entered has expired. The Director takes official notice of these

documents filed in the administrative record and, by presentation of this Order to the Director, Department staff represents that it is not aware of a response from the Licensee. Therefore, the Director makes the following Findings of Fact, Conclusions of Law, and enters the following Order.

FINDINGS OF FACT

1. The Director of the Department of Finance has jurisdiction over this matter.
2. MAMMOTH TECH, INC. (the Licensee) is an Ohio corporation conducting business at 250 Geneva Boulevard, Defiance, Ohio 43512. The Licensee has been registered to conduct business in Idaho with the Idaho Secretary of State since at least February 2008.
3. The Licensee is licensed by the Idaho Department of Finance (Department) as a collection agency and has been since approximately April 18, 2018, holding NMLS No. 1117950 and License No. CCA-7365 pursuant to the Idaho Collection Agency Act, Idaho Code § 26-2221 *et seq.* (the Act).
4. Pursuant to Idaho code § 26-2232, licensees shall maintain a surety bond in the minimum amount of \$15,000 or higher based on the volume of business conducted in Idaho. On March 14, 2022, the Department received a Notice of Cancellation via the Nationwide Multistate Licensing System (NMLS) from the surety bond company for the Licensee that the Licensee's surety bond would be cancelled effective April 14, 2022.
5. On March 15, 2022, the Department placed a license item in the Licensee's NMLS record to inform it of the need to replace its bond or surrender its license no later than April 14, 2022.
6. On April 14, 2022, the Licensee's surety bond was cancelled in the NMLS.

7. On June 13, 2022, an examiner for the Department used two different email addresses for the Licensee and inquired about the bond requirements and requested a response by the end of the day. These messages were either returned as “undeliverable” or were not answered.

8. Shortly after sending the emails, the examiner attempted to call the Licensee through the phone number listed on the Licensee’s NMLS record, as well as visit the Licensee’s website. The Licensee’s phone number was no longer in operation and its website did not exist.

9. To date, the Licensee has failed to meet its bond requirements or surrender its license.

CONCLUSIONS OF LAW

10. Paragraphs 1 through 9 above are fully incorporated herein by this reference.

11. Idaho Code § 26-2232(3) requires that, “The amount of the bond upon renewal shall be in the amount of fifteen thousand dollars (\$15,000), or two (2) times the average monthly [net collections over the preceding year] computed to the next highest one thousand dollars (\$1,000), whichever sum is greater” Idaho Code § 26-2232(1) requires that the bond, “shall be for the term of the license issued to the applicant.” Idaho Code § 26-2232(2) provides in part: “The bond shall be continuous in form and shall remain in full force and effect for the license period.”

12. Idaho Code § 26-2227(1) provides “[a]n application for license may be denied or, after notice and the opportunity for a hearing, a license may be suspended or revoked by the director if he finds that facts or conditions exist which would have justified the director in refusing

to grant a license had such facts or conditions been known to exist at the time the license was issued, or that the licensee (a) [h]as violated any provision of this act...”

13. The Licensee’s failure to comply with Idaho Code § 26-2232 by virtue of the April 14, 2022 bond cancellation demonstrates a violation of the required bond by the Licensee.

14. Based on these facts, it is appropriate to revoke the Licensee’s license pursuant to Idaho Code § 26-2227.

ORDER

Based upon the foregoing and pursuant to the Idaho Collection Agency Act, Idaho Code § 26-2201 *et seq.*; the Idaho Administrative Procedure Act, Idaho Code § 67-5242(4); and the Idaho Rules of Administrative Procedure, Rule 04.11.01.702, it is hereby ordered that:

- a. The Licensee’s license as a collection agency is revoked;
- b. The Licensee transfer all of its Idaho business to a collection agency duly licensed in Idaho within thirty (30) days from the entry of the order if it has not already done so consistent with Idaho Code § 26-2246;
- c. Requiring the Licensee to provide notice within twenty-eight (28) days of the date of the order to all current clients, if any, of the revocation of its collection agency license and of the transfer of all its Idaho business to a collection agency duly licensed in Idaho, and to deliver a copy of that notice to the Director contemporaneously with the delivery to its current clients;

- d. Requiring the Licensee to provide to the Director written evidence of the transfer of all Idaho business within forty-two (42) days of the date of the entry of the order; and
- e. Imposing such further and additional relief as the Director deems appropriate, including those provided in Idaho Code § 26-2246.

NOTIFICATION OF RIGHTS

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5246(4), Idaho Code.

Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to 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.

An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273,

Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Section 67-5274, Idaho Code.

This matter is hereby concluded.

IT IS SO ORDERED.

DATED and EFFECTIVE this _____ day of _____ 2022.

STATE OF IDAHO
DEPARTMENT OF FINANCE

PATRICIA R. PERKINS, Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of _____ 2022, I served a true and correct copy of the foregoing DEFAULT ORDER FOR REVOCATION OF IDAHO COLLECTION AGENCY LICENSE on the following by the designated means:

Mammoth Tech, Inc
250 Geneva Boulevard
Defiance, Ohio 43512

- U.S. Mail, postage prepaid
- Certified mail
- Facsimile:
- Email: mtilicensure@mammothtech.com

Business Filings Incorporated
921 S Orchard St, Ste G
Boise, ID 83705

- U.S. Mail, postage prepaid
- Certified mail
- Facsimile:
- Email:

Paralegal