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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.

MJOLLNIR GROUP, INC.,

Respondent.

Docket No. 2012-9-12

**CONSENT ORDER**

The Director of the State of Idaho, Department of Finance (Director) has conducted a review of the collection activities in Idaho of MJOLLNIR GROUP, 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 formed as a Utah corporation on April 17, 2006. Respondent is doing business as a debt buyer and collection agency. Such business includes Respondent buying and selling debt and ~~collecting or receiving payment~~ or receiving payment for others of any account, bill, claim or other indebtedness. Respondent conducts business in Idaho from 448 North 900 East, Bountiful, Utah. Its Chief Executive Officer is Ryan Barker.

## FACTS

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

3. On January 19, 2012, the Department received information from a licensed payday lender that it had assigned its delinquent Idaho accounts to Respondent for collection.

4. On April 5, 2012, staff for the Department sent a request for information to the Respondent seeking a listing of all Idaho accounts upon which it was collecting. After receiving the request, Respondent, on April 17, 2002, promptly filed an application for licensure pursuant to the Act.

5. On April 5, 2012, the Department received a written response to its April 5, 2012 request for information. Respondent did inform the Department's staff person that it resells ninety-nine per cent (99%) of its accounts. However, Respondent also provided a listing of one hundred twenty five (125) Idaho accounts it had in its files for collection. Its records showed that Respondent had began its collection activities in Idaho as early as January 2012 and that it had collected approximately \$2,241 on eleven (11) accounts.

## FINDINGS

### *ENGAGING IN UNLICENSED COLLECTION ACTIVITIES IN IDAHO*

6. The allegations set forth in paragraphs 1 through 5 above are fully incorporated herein by this reference.

7. Idaho Code § 26-2223 provides as follows, in pertinent part:

**26-2223. Collection agency, debt counselor, or credit counselor permits.** – 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.

...

(6) Engage or offer to engage in this state, directly, or indirectly in the business of collecting any form of indebtedness for that person's own account if the indebtedness was acquired from another person and if the indebtedness was either delinquent or in default at the time it was acquired.

...

8. "Collection agency" means a person who engages in any of the activities enumerated in subsections (1), (2), or (6) of Idaho Code § 26-2223, which are set forth in the previous paragraph.

9. Respondent's acts of engaging in collection activities in Idaho without a license, as referenced above, constitute violations of Idaho Code § 26-2223(1), (2), and (6) as set forth in paragraphs 7 and 8 above. Each act of collecting constitutes a separate violation.

## REMEDIES

10. Respondent admits to violations of Idaho Code § 26-2223(1), (2) and (6), by engaging in collection activity in Idaho while not licensed under the Act, as referenced above.

11. Respondent agrees to immediately cease and desist from engaging in any and all collection activities in Idaho, to include collecting or receiving payment for others of any

account, bill, claim or other indebtedness; making telephone calls related to collection activities, including automated calls; and mailing, faxing, e-mailing, or otherwise delivering communications to Idaho residents in connection with collection activities until such time as it obtains a license under the Act authorizing it to do so.

12. Respondent agrees to pay to the Department the sum of one thousand dollars (\$1,000) as an administrative penalty in settlement of the violations contained herein, and an additional amount of five hundred dollars (\$500) constituting investigative expenses and attorney fees incurred by the Department in pursuing this matter, for a total payment to the Department of fifteen hundred dollars (\$1,500), by no later than September 27, 2012.

13. When Respondent has executed this Consent Order and timely paid to the Department the fifteen hundred dollars (\$1,500) payment referenced in paragraph 12 above, the Department agrees to accept and consider the license application already submitted by Respondent. Further, the Department agrees that it will not consider this Consent Order as the basis for denial of Respondent's license application.

14. Respondent agrees to comply with all provisions of the Idaho Collection Agency Act, rules promulgated thereunder, and relevant federal law and regulations at all times in the future.

15. The Department agrees not to seek further penalties or fees from Respondent for the violations addressed in this Consent Order, other than as set forth in paragraph 12 above, if Respondent timely and fully complies with all provisions of this Consent Order.

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

17. Respondent acknowledges and understands that should the Department learn of additional violations by Respondent of the Act, rules promulgated under the Act, or applicable federal laws and regulations relating to Respondent's collection activities in Idaho, the Department may pursue further legal action and seek additional remedies.

DATED this 18<sup>th</sup> day of September, 2012.

MJOLLNIR GROUP, INC.

By: [Signature]  
Title: CEO

DATED this 24<sup>th</sup> day of September, 2012.

STATE OF IDAHO  
DEPARTMENT OF FINANCE

[Signature]  
MICHAEL LARSEN  
Consumer Finance Bureau Chief

**IT IS SO ORDERED.**

DATED this 24<sup>th</sup> day of SEPTEMBER, 2012.

STATE OF IDAHO  
DEPARTMENT OF FINANCE

[Signature]  
GAVIN M. GEE  
Director



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25 day of September, 2012, I served a true and correct copy of the foregoing CONSENT ORDER upon the following by the designated means:

Mjollnir Group, Inc.  
Attn: Ryan Barker  
448 N. 900 E.  
Bountiful, UT 84010

- U.S. mail, postage prepaid
- Certified mail
- Facsimile: (866) 684-3249
- Email: ryan@mjollnirgroup.com

  
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Paralegal