

1 subsidiary of GMAC. GMACAB is registered with the Oregon
2 Secretary of State with a principle place of business at 6985
3 Union Park Center, Suite 435; Midvale, UT 84047.

4 3. Semperian does not maintain an office in Oregon for the
5 purpose of collecting accounts or soliciting collection accounts
6 other than for GMAC or GMACAB.

7 4. GMAC and GMACAB purchase retail installment sale and
8 lease contracts from motor vehicle dealers.

9 5. Semperian is a servicing company that contracts with
10 GMAC, GMACAB, or both, to receive payments on behalf of and for
11 the account of GMAC or GMACAB as the case may be, and to
12 otherwise administer accounts on their behalf.

13 6. Collecting funds on delinquent accounts that are owned by
14 GMAC or GMACAB is not Semperian's principal business.

15 7. Semperian desires to collect payments from residents of
16 the State of Oregon and residents of other states on behalf of
17 GMAC, GMACAB, or both, using interstate commerce methods,
18 including telephone and mail.

19 8. Oregon Collection Agency Laws require that persons
20 operating a Collection Agency, as defined by ORS 697.005, be
21 registered with the Oregon Department of Consumer and Business
22 Services.

23 9. ORS 697.005(1)(b)(Q) exempts from the registration
24 requirements any person for whom the Director of the Department
25 of Consumer and Business Services determined, by order or by
26 rule, that the protection of the public health, safety and

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Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387



1 welfare does not require registration with the Department as a
2 Collection Agency.

3 10. In the process of servicing accounts, Semperian will
4 offer to collect payments from GMAC customers, GMACAB customers,
5 or both, but Semperian will do so only in the name of GMAC or
6 GMACAB, as applicable.

7 11. Semperian does not service or collection the accounts of
8 GMAC or GMACAB in its own name, but rather in the name of GMAC
9 or GMACAB as applicable.

10 12. Semperian will not deposit into its own accounts the
11 funds of either GMAC or GMACAB that are obtained through
12 collection services; rather, such funds will be directly
13 deposited into accounts owned by GMAC or GMACAB as applicable.

14 Conclusion of Law

15 1. The protection of the public health, safety and welfare
16 does not require registration by Semperian, GMAC or GMACAB for
17 the activities outlined above, with the Department as a
18 Collection Agency for reasons including but not limited to the
19 following: Semperian engages in collections efforts under its
20 own name, does not engage in collections efforts for entities
21 other than GMAC or GMACAB, and funds are deposited directly into
22 GMAC or GMACAB accounts.

23 Order

24 The Director orders the waiver of application of the
25 provisions of ORS 697.015 to Semperian, GMAC or GMACAB for the

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1 activities outlined above. This Order replaces the Order
2 Granting Waiver executed on August 25, 2005.

3 Dated this 9th day of September, 2005 at Salem,
4 Oregon.

5
6 CORY STREISINGER, Director
7 Department of Consumer and Business Services

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9 Floyd G. Lanter, Administrator
10 Division of Finance and Corporate Securities

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