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3 **STATE OF OREGON**
4 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**
5 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

6 **BEFORE THE DIRECTOR OF THE DEPARTMENT**
7 **OF CONSUMER AND BUSINESS SERVICES**

8 In the Matter of:

DM-12-0014

9 **Premiere Debt Solutions, LLC;**
10 Respondent.

ORDER TO CEASE AND DESIST,
ORDER ASSESSING CIVIL PENALTY,
AND CONSENT TO ENTRY OF
ORDER

11 WHEREAS, the Director of the Department of Consumer and Business Services for the
12 State of Oregon (hereinafter “the Director”), acting pursuant to the Oregon statutes regulating
13 debt management service providers, ORS 697.602 to 697.842, has conducted an investigation of
14 Premiere Debt Solutions, LLC (“PDS”), and has concluded that violations of Oregon law have
15 been committed; and

16 WHEREAS PDS wishes to resolve this matter with the Director;

17 NOW THEREFORE, as evidenced by the signature(s) subscribed on this Order, PDS
18 hereby CONSENTS to entry of this Order upon the Director’s Findings of Fact and Conclusions
19 of Law as stated hereinafter.

20 **I.**

21 **FINDINGS OF FACT**

22 The Director FINDS that:

- 23 1. PDS is a Florida company with its principal address listed with the Florida
24 Department of State Division of Corporations as 4207 Vineland Road, Suite M-14, Orlando,
25 Florida 32811. Additionally, documentation filed with the State of Florida lists Shambana N.
26 Khublal as the registered agent and manager for PDS.
2. At all times relevant to this matter, PDS held itself out as providing debt management

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





1 services as defined by ORS 697.602(2)(d), by receiving money in return for obtaining or
2 attempting to obtain as an intermediary on a consumer's behalf a concession from a creditor
3 including, but not limited to, a reduction in the principal, interest, penalties or fees associated
4 with a debt.

5 3. At no time material to this Order was PDS registered in Oregon with the Director as a
6 debt management service provider.

7 4. At no time material to this Order did PDS file a bond with the Director as required by
8 Oregon law.

9 5. At all times relevant to this matter, an individual identified as "DM" was a resident of
10 the State of Oregon.

11 6. On or about August 18, 2011, DM paid PDS an initial processing and service fee of
12 \$795.00 to receive debt management services.

13 **II.**

14 **CONCLUSIONS OF LAW**

15 The Director CONCLUDES that:

16 7. PDS performed debt management services as defined by ORS 697.602(2)(d) when it
17 received money in return for obtaining or attempting to obtain as an intermediary on a
18 consumer's behalf a concession from a creditor including, but not limited to, a reduction in the
19 principal, interest, penalties or fees associated with a debt.

20 8. PDS violated ORS 697.612 by engaging in the business of debt management service
21 provider without being registered with the Director.

22 9. PDS violated ORS 697.642(1) when it performed debt management services without
23 first filing a bond issued by one or more corporate sureties authorized to do business in Oregon.

24 10. PDS violated ORS 697.692(1)(a) when it charged an Oregon consumer an initial fee
25 that exceeded \$50.

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III.
ORDERS

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

Order to Cease and Desist

11. Pursuant to the authority of ORS 697.825(1)(a), the Director hereby ORDERS PDS, and all entities owned or controlled by PDS, their successors and assignees, to CEASE AND DESIST from violating any provision of the Oregon statutes regulating debt management service providers, ORS Chapter 697, and any rule, order, or policy issued by the Director under ORS Chapter 697.

Order Assessing Civil Penalty

12. Pursuant to the authority of ORS 697.832, the Director may assess a CIVIL PENALTY in an amount of not more than \$5,000 per violation against any person who violates ORS 697.612 or 697.642 to 697.702, rules adopted under ORS 697.632, or any order issued under ORS 697.825.

13. Pursuant to ORS 697.832, the Director hereby assesses PDS a CIVIL PENALTY in the amount of \$15,000 (fifteen thousand dollars) as follows:

- A. A CIVIL PENALTY of \$5,000 (five thousand dollars) for violating the registration provisions of ORS 697.612 by engaging in the business of performing debt management services without being registered with the Director;
- B. A CIVIL PENALTY of \$5,000 (five thousand dollars) for violating ORS 697.642(1) for performing debt management services without first filing a bond; and
- C. A CIVIL PENALTY of \$5,000 (five thousand dollars) for violating ORS 697.692(1)(a) by charging an initial fee for debt management services that exceeded \$50.

Suspension of Civil Penalty

14. The Director agrees to SUSPEND the collection of the \$15,000 CIVIL PENALTY assessed herein provided that PDS complies with all of the following terms and conditions:



1 A. Within 10 days from the effective date of this Order, PDS shall refund all monies paid
2 by DM to PDS. This refund must include any amount held on deposit by PDS or a third party
3 entity. PDS shall provide proof satisfactory to the Oregon Division of Finance and Corporate
4 Securities of the refund to DM.

5 B. PDS shall immediately suspend all collection activities for interest on, or any fees or
6 charges for, providing Oregon consumers with debt management services or other services that
7 require PDS to be registered with the Director under ORS 697.632.

8 C. Within 10 days from the effective date of this Order, PDS shall either: (i) file an
9 application to register with the Director pursuant to ORS 697.632, or (ii) place a prominent
10 disclaimer on its website and the websites of all affiliated companies to the effect that its
11 services are not available to Oregon residents.

12 D. PDS shall comply with all terms and conditions set out in this Order and commit no
13 new violations of the Oregon statutes regulating debt management service providers, ORS
14 697.602 to 697.842, the rules adopted pursuant to ORS 697.632, or any order issued under ORS
15 697.825.

16 15. If PDS complies with all of the terms and conditions set out in this Order and
17 commits no new violations of the Oregon statutes regulating debt management service providers
18 during the three-year period from the effective date of this Order, the Director WAIVES the
19 collection of the suspended CIVIL PENALTY assessed herein.

20 16. The Director reserves the right to immediately impose the suspended CIVIL
21 PENALTY upon a determination that PDS has violated any term of this Order.

22 17. The entry of this Order in no way limits further remedies which may be available to
23 the Director under Oregon law.

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IT IS SO ORDERED.

Dated this 1st day of May, 2012 at Salem, Oregon.

PATRICK M. ALLEN, Director
Department of Consumer and Business Services

/s/ David Tatman
David C. Tatman, Administrator
Division of Finance and Corporate Securities

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CONSENT TO ENTRY OF ORDER

I, Shabana N. Khublal, state that I am an officer of Premiere Debt Solutions, LLC (“PDS”), and I am authorized to act on its behalf; that I have read the foregoing Order and that I know and fully understand the contents hereof; that I and PDS have been advised of the right to a hearing and of the right to be represented by counsel in this matter; that PDS, voluntarily and without any force or duress, consents to the entry of this Order, expressly waiving any right to a hearing in this matter; that PDS, executes this Order as a settlement of the matters referred to in the foregoing Order; that PDS understands that the Director reserves the right to take further actions to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon statutes regulating debt management service providers, ORS 697.602 to 697.842, the rules adopted pursuant to ORS 697.632, or any order issued under ORS 697.825, and that PDS will fully comply with the terms and conditions stated herein.

PDS further assures the Director that neither PDS, nor its officers, directors, employees or agents, will offer or provide services in Oregon unless such services are in full compliance with Chapter 697 of the Oregon Revised Statutes.

PDS understands that this Order is a public document.

By: /s/ Shabana N. Khublal
Signature

By: Shabana N. Khublal
Printed Name

Office Held: MGMBR

ACKNOWLEDGMENT

State of FL

County of Orange

There appeared before me this 19th day of April, 2012, Shabana Khublal, who was first duly sworn on oath, and stated that he/she was and is an officer of PDS, and that he/she is authorized and empowered to sign this Order on behalf of PDS, and to bind it to the terms hereof.

/s/ Naresh Boodhoo
Signature of Notary Public

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