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

6 In the Matter of

Case No. CA-14-0015

7 ALLGATE FINANCIAL, LLC;

FINAL ORDER TO CEASE AND  
DESIST AND ORDER REFUSING TO  
ISSUE REGISTRATION ENTERED  
BY DEFAULT

8 Respondent.

9 On April 8, 2014, the Director of the Department of Consumer and Business  
10 Services for the State of Oregon (the "Director"), acting under the authority of the  
11 Oregon Revised Statutes regulating collection agencies, ORS 697.005 to 697.095, and  
12 administrative rules promulgated thereunder, and in compliance with ORS 183.415(3),  
13 issued Administrative Order CA-14-0015, ORDER TO CEASE AND DESIST,  
14 PROPOSED ORDER REFUSING TO ISSUE REGISTRATION AND NOTICE OF  
15 RIGHT TO AN ADMINISTRATIVE HEARING ("Notice Order"), to Respondent  
16 Allgate Financial, LLC ("Respondent" or "Allgate").

17 In accordance with OAR 137-003-0075, the Notice Order designated the  
18 Division's file on this matter, including all materials submitted by the Respondent, as the  
19 record ("Record") for the purpose of making a prima facie case in the event that the  
20 Director entered a final order against the Respondent by default.

21 On April 14, 2014, Respondent was duly served with a true copy of the Notice  
22 Order by the Division of Finance and Corporate Securities ("DFCS").

23 The time to request an administrative hearing stated in the Notice Order has now  
24 expired and Respondent did not timely request a hearing.

25 After a review of the Record, the Director is persuaded that the Record contains  
26 facts necessary to support the issuance of this Final Order by Default.

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350 Winter Street NE, Suite 410  
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1 Now therefore, the Director hereby issues the following Findings of Fact,  
2 Conclusions of Law and Final Orders.

3  
4 I. FINDINGS OF FACT

5 The Director FINDS that:

6 1. Allgate Financial, LLC (“Allgate”) is an Illinois limited liability company  
7 with business offices located at 160 N. Franklin Street, 3rd Floor, Chicago, IL 60606.

8 2. On February 10, 2013, Allgate submitted an application for registration as a  
9 collection agency with the Division of Finance and Corporate Securities (“Division”).

10 3. On March 19, 2013, a Division financial examiner, Lonnie Bates (“Bates”),  
11 notified Allgate’s compliance officer and contact for submitting the application, Rosalia  
12 Cefalu (“Cefalu”), that Allgate’s collection agency application was incomplete. To  
13 complete the application, Allgate was required to file authorizations from officers and  
14 principals for the Division to perform criminal background and credit checks. Bates also  
15 informed Cefalu that Allgate needed to complete its assumed business name application  
16 with the Oregon Secretary of State.

17 4. On June 18, 2013, Bates sent an email to Cefalu noting that the collections  
18 agency application was still deficient due to the failure of Allgate to provide the  
19 information requested on March 19, 2013.

20 5. On October 15, 2013, Bates emailed Cefalu suggesting that, since Allgate had  
21 not completed the application, Allgate withdraw its application. Otherwise, the Division  
22 would be forced to issue an order denying the application.

23 6. On November 12, 2013, Cefalu emailed Bates instructing him to withdraw  
24 Allgate's application. In the same email, Cefalu commented that she assumed the  
25 application fee would be refunded. When Bates informed her that the fee would not be  
26 refunded, Cefalu replied that Allgate would continue with the application process.

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1 7. As of the date of this order, Allgate has not completed its application for an  
2 Oregon collection agency registration. In particular, Allgate has not provided proof of  
3 business registration with the Oregon Secretary of State.

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5 II. CONCLUSIONS OF LAW

6 The Director CONCLUDES that:

7 8. In accordance with ORS 697.039(1)(b), the Director may refuse to issue or  
8 may revoke or suspend any registration for a collection agency if the Director determines  
9 that the person has violated any of the rules of the Director for registration under ORS  
10 697.031.

11 9. Allgate has violated ORS 697.031 by failing to complete its application for  
12 registration, by failing to register with the Corporations Division of the Oregon Secretary  
13 of State as required by OAR 441-810-0060.

14  
15 III. ORDERS

16 Now, therefore, the Director proposes to issue the following ORDERS:

17 Order to Cease and Desist

18 10. As authorized by ORS 697.093(1)(d)(A), the Director ORDERS Allgate, and  
19 all entities owned or controlled by Allgate, their successors and assignees, to CEASE  
20 AND DESIST from violating any provision of ORS 697.005 to 697.095, or any  
21 administrative rule adopted by the Director under those statutes.

22 Order Refusing to Issue Registration

23 11. As authorized by ORS 697.039(1)(b), the Director now issues this ORDER  
24 refusing to issue a registration as a collection agency to Allgate because the Director has  
25 determined that Allgate has violated ORS 697.031 by failing to register with the  
26 Corporations Division of the Oregon Secretary of State in accordance with OAR 441-



1 810-0060.

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IV. AUTHORITY OF THE DIRECTOR TO SEEK OTHER  
REMEDIES UNDER OREGON LAW

12. This Order is a “Final Order” under ORS 183.310(6)(b). Subject to that provision, the entry of this Order does not limit other remedies that are available to the Director under Oregon law.

IT IS SO ORDERED.

Dated this 6th day of May, 2014.

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

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

NOTICE OF RIGHT TO JUDICIAL REVIEW

You are entitled to seek judicial review of this order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days from service of this final order. Judicial review is pursuant to the provisions of ORS 183.482.

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