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3 **STATE OF OREGON**
4 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**
5 **DIVISION OF FINANCIAL REGULATION**

6 In the Matter of:

Case No. DM-22-0034

7 AAA Law Group, LLC,

FINAL ORDER TO CEASE AND
DESIST AND FINAL ORDER
ASSESSING CIVIL PENALTIES,
ENTERED BY CONSENT

8 Respondent.

9 The Director of the Department of Consumer and Business Services for the State
10 of Oregon (the “Director”) investigated the business activities of AAA Law Group, LLC
11 (“AAA Law”) and determined that AAA Law violated certain provisions of Oregon
12 Revised Statutes (“ORS”) 697.602 through 697.842 and Oregon Administrative Rules
13 (“OAR”) 441-910-0000 through 441-910-0200 (collectively, the “Oregon Debt
14 Management Service Provider Law”).

15 AAA Law cooperated with the Division’s investigation and wishes to settle this
16 matter with the Director.

17 Now, therefore, as evidenced by the authorized signature(s) subscribed in this
18 Order, AAA Law hereby CONSENTS to entry of this Order upon the Director’s Findings
19 of Fact and Conclusions of Law below.

20 **FINDINGS OF FACT**

21 The Director FINDS that:

22
23 1. AAA Law is a Florida limited liability company with a principal business
24 address of 2300 NW Corporate Boulevard, Ste 222 Boca Raton, FL 33431.

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





1 2. AAA Law is owned and controlled by Edgar A. Benes, a Florida attorney that
2 does not have a license to practice law in the State of Oregon.

3 3. AAA Law has never been registered with the Oregon Secretary of State to
4 conduct business in Oregon nor has it been registered with the Director as a debt
5 management service provider (“DMSP”).

6 4. AAA Law has not obtained a surety bond needed to conduct debt management
7 service provider activity in Oregon.

8 5. Between 2017-2021, AAA Law offered or provided DMSP services to at least
9 20 Oregon consumers that paid AAA Law a total of \$107,548.34 in fees as follows:

- | | |
|--------------------------------------|--------------------------------------|
| 10 A. PM - \$ 6,738.36 | 11 K. LG - \$3,980.79 |
| 12 B. RD - \$ 2,968.27 | 13 L. CH - \$5,936.78 |
| 14 C. RH - \$3,462.43 | 15 M. LD - \$11,890.94 |
| 16 D. DP - \$3,381.20 | 17 N. MC - \$6,096.70 |
| 18 E. SS - \$2,702.42 | 19 O. TB - \$4,381.44 |
| 20 F. ME - \$2,791.33 | 21 P. RM - \$6,223.05 |
| 22 G. SF - \$6,144.05 | 23 Q. JC - \$5,393.05 |
| 24 H. KL - \$8,092.38 | 25 R. CJ - \$8,228.62 |
| 26 I. CB - \$4,706.26 | S. IF - \$1,791.50 |
| J. DS - \$4,784.13 | T. DD - \$7,854.64 |

21 6. On at least 20 occasions, AAA Law did not provide a document that included
22 all of the disclosures set forth in ORS 697.707(2) to those Oregon consumers for whom it
23 offered to perform a debt management service.
24
25

1 7. On at least 20 occasions, AAA Law charged fees to Oregon consumers before
2 making all of the disclosures set forth in ORS 697.707(2).

3 **CONCLUSIONS OF LAW**

4 The Director CONCLUDES that:

5 8. By offering to perform a debt management service to 20 Oregon consumers
6 without being registered with the Division, AAA Law committed 20 violations of ORS
7 697.612(1)(a) .

8 9. By offering to perform a debt management service to 20 Oregon consumers
9 without having a surety bond, AAA Law committed 20 violations of ORS 697.642.

10 10. By offering to perform a debt management service to 20 Oregon consumers
11 before providing all necessary disclosures, AAA Law committed 20 violations of ORS
12 697.707(2).

13 11. By charging fees to 20 Oregon consumers before providing all of the
14 disclosures required by ORS 697.707(2), AAA Law committed 20 violations of ORS
15 697.707(1).

16 12. ORS 697.832(1) authorizes the Director to assess a civil penalty against AAA
17 Law of up to \$5,000.00 per violation of the Oregon Debt Management Service Provider
18 Law.

19 20 13. Because the Director has reason to believe that AAA Law violated ORS
21 697.612(1), ORS 697.642, ORS 697.707(1) and ORS 697.707(2).), the Director is
22 authorized under ORS 697.825(1)(a) to order the company to cease and desist from
23 violating these statutes.
24
25



ORDER

Now therefore, the Director issues the following ORDER:

14. As authorized by ORS 697.825(1)(a), the Director ORDERS AAA Law to CEASE AND DESIST from violating ORS 697.612(1), ORS 697.642, ORS 697.707(1) and ORS 697.707(2).

15. As authorized by ORS 697.832(1), the Director ORDERS AAA Law to pay \$130,000.00 in CIVIL PENALTIES, allocated as follows:

- A. \$40,000.00 for violating ORS 697.612(1);
- B. \$20,000.00 for violating ORS 697.642,;
- C. \$40,000.00 for violating ORS 697.707(1); and
- D. \$30,000.00 for violating ORS 697.707(2).

16. The Director SUSPENDS \$122,000.00 of the civil penalties, provided AAA Law complies with these conditions:

- A. AAA Law shall refund each Oregon consumer 85% of the fee charged by AAA Law to that consumer, as listed in paragraph 5 of this Order;
- B. AAA Law shall complete the refunds to each Oregon consumer using reasonable efforts and means and provide the Division with proof of the refunds within seven months of the date of this Order;
- C. If AAA Law cannot locate a particular Oregon consumer within seven months of the date of this Order, despite using all reasonable efforts and means to locate and notify the Oregon consumer of the impending refund, the company shall provide the refund to the Oregon State

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Treasury for distribution to the Oregon consumer if the latter claims the refund;

D. AAA Law shall not violate the Oregon Debt Management Service Provider Law or the terms of this Order.

17. If AAA Law fails to satisfy the above conditions during the three year period following the date of this Order, the suspended portion of the civil penalties amounting to \$122,000.00 will become immediately due and owing. If AAA Law satisfies the above conditions, the Director shall waive the suspended portion of the civil penalties three years after the date of this Order.

18. Along with this Order, AAA Law shall submit to the Director \$8,000.00 as payment for the non-suspended portion of the civil penalties.

19. AAA Law agrees that the facts and violations set forth in this Order may be taken as true without further proof in any bankruptcy case, or subsequent litigation, the Division may pursue to enforce its rights under the terms of this Order and this Order shall have preclusive effect in any such proceeding.

20. This Order is a “Final Order” under ORS 183.310(6)(b). Subject to this provision, entry of this Order does not limit the Director’s authority to enforce this Order or take action against AAA Law for violations of this Order or violations not included in this Order that are discovered after the date of this Order.

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1 SO ORDERED this 6th day of September, 2022.

2 ANDREW R. STOLFI, Director
3 Department of Consumer and Business Services

4 /s/ Dorothy Bean
5 Dorothy Bean, Chief of Enforcement
6 Division of Financial Regulation

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1 **ENTITY CONSENT TO ENTRY OF ORDER**

2 I, Edgar A. Benes, am an officer or manager of AAA Law Group, LLC (“AAA
3 Law”). I am authorized to act and sign on behalf of AAA Law. I have read the foregoing
4 Order, and I know and fully understand the contents hereof. I have been advised of the
5 right to a hearing and the right to be represented by counsel in this matter. AAA Law
6 voluntarily consents to the entry of this Order with no force or duress, expressly waiving
7 any right to a hearing in this matter and any rights to administrative or judicial review of
8 this Order. AAA Law understands that the Director reserves the right to take further action
9 to enforce this Order or to take action upon discovery that AAA Law has committed other
10 violations of the Oregon Debt Management Service Provider Law. AAA Law, along with
11 its officers, directors, employees, or agents, will comply with the terms and conditions
12 stated herein.

13 AAA Law understands that this Order is a public document.

14
15 Signature: /s/ Edgar A. Benes

16 Position Held: Manager

17 **ACKNOWLEDGMENT**

18
19 State of Florida

20 County of Palm Beach

21 Signed or attested before me on the 25th of August, 2022.

22
23
24 /s/ Jeanette Rodriguez
25 Notary Public

