STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of: ACCOUNTS INTERCHANGE GROUP, LLC Respondent.	Case No. CA-23-0027 ORDER TO CEASE AND DESIST, ORDER ASSESSING CIVIL PENALTY, AND CONSENT TO ENTRY OF ORDER THIS IS A FINAL ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), acting in accordance with Oregon Revised Statutes ("ORS") 697.005 to 697.095 and Oregon Administrative Rules ("OAR") 441-810-0000 through 441-810-0260 ("Oregon Collection Agency Law"), and acting by and through the Division of Financial Regulation ("Division"), has determined that Accounts Interchange Group, LLC ("Respondent") engaged in activities that violated the Oregon Collection Agency Laws.

Respondent wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the authorized signatures subscribed on this Order, Respondent hereby CONSENTS to entry of this Order upon the Director's Findings of Fact and Conclusions of Law as stated hereinafter.

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

FINDINGS OF FACT

The Director FINDS that:

1. Respondent is a New York Limited Liability Company with its principal place of business at 485 Cayuga Rd., Ste. 421, Cheektowaga, NY 14225. Respondent's NMLS ID number is 2398345.

2. On or around December 7, 2022, the Division received a complaint from an Oregon consumer who will be identified for purposes of this Order as NC.

3. In the complaint, NC claimed to have been contacted by Respondent, and that Respondent identified itself as a debt collection company attempting to collect a debt from a vehicle repossession.

4. NC further stated that NC had tried to verify that Respondent was an Oregon collections agency but was unable to locate an Oregon collections agency registration in NMLS. NC was also unable to locate a business registry for Respondent with the Oregon Secretary of State.

5. The Division confirmed that, at that time of the complaint, Respondent was not registered to engage in collections agency business in Oregon.

6. On December 14, 2022, the Division sent an information request to Respondent requesting a list of all Oregon consumers that Respondent had attempted to contact in the course of Respondent's collections agency activities and any monies that respondent had collected from Oregon consumers.

7. On December 20, 2022, the Division received an emailed response ("The December 20 email") from Respondent's Chief Operating Officer, Tom Tirabassi ("Tirabassi"). In the December 20 email, Tirabassi apologized for doing collections business in Oregon without being registered to do collections agency business in Oregon. Tirabassi further explained that Respondent had started the registration process in Oregon, planned to obtain their Oregon collections agency registration shortly, and had ceased operations in Oregon pending issuance of its registration.

8. Following the December 20 email, Tirabassi relinquished his interest in Respondent to two other members of the limited liability company.

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9. Tirabassi's successors in interest disclosed that between January 31, 2019 and December 9, 2022, Respondent had collected money from 51 Oregon consumers, totaling $35,605.07.

10. After being contacted by the Division, Respondent completed its application for Oregon collections agency registration. On April 13, 2023, Respondent received its Oregon collections agency registration.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

11. Pursuant to ORS 697.093(1)(d)(A), if the director has reason to believe that a person has violated, is violating or is about to violate the Oregon Collections Agency Law, the Director may issue an order to cease and desist from the violation.

12. Pursuant to ORS 697.001(1)(a)(A), "Collection Agency" means a person that engages directly or indirectly in soliciting a claim for collection, or collecting or attempting to collect a claim that is owed, due or asserted to be owed or due to another person or to a public body at the time the person solicits, collects or attempts to collect the claim.

13. Pursuant to ORS 697.015, a person shall not operate as a collection agency in this state unless the person registers with the Department of Consumer and Business Services under ORS 697.031 and maintains the registration in accordance with that section.

14. By operating as a collection agency without maintaining a Director-issued collection agency registration, Respondents violated ORS 697.015 in 51 instances.

15. Pursuant to ORS 697.095 and OAR 441-810-0140, the Director may assess civil penalties in the amount of $400 for a first violation of the Oregon Collections Agency Law, and $1,000 for each subsequent violation.

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ORDERS

Now therefore, the Director issues the following Orders:

16. As authorized by ORS 697.093(1)(d)(A), the Director ORDERS Respondent to CEASE AND DESIST from violating ORS 697.015.

17. As authorized by ORS 697.095, the Director hereby imposes CIVIL PENALTIES in the amount of $50,400 for violations of ORS 697.015.

18. The Director hereby SUSPENDS payment of $47,400 of the $50,400 CIVIL PENALTY for a period of three years from the effective date of this Order, provided Respondent complies with the following terms:

(a) Within 60 days of the effective date of this Order, Respondent shall reimburse all moneys collected from the 51 Oregon consumers prior to Respondent's obtaining of the registration required by ORS 697.031, totaling $35,605.07;

(b) Notwithstanding the reimbursement described in (a) above, Respondent shall consider the debts of each Oregon consumer satisfied to the extent that each Oregon consumer has remitted moneys to Respondent in satisfaction of those debts. Respondent is not permitted to engage in any further collection activities with regard to those debts;

(c) Within 45 days of the effective date of this Order, Respondent shall provide proof of the reimbursements described in (a) above to the Division; and

(d) For the three years following the effective date of this Order, Respondent shall commit no new violations of the Oregon Collection Agency Laws or of any rules adopted thereunder.

19. The remaining $3,000 of the CIVIL PENALTY assessed herein is due and payable at the time this Order is returned to the Division.

20. The suspended CIVIL PENALTY will be waived three years from the effective date of this Order, provided Respondent has complied with the forgoing Order terms and does not commit any further violations of the Oregon Collection Agency Law.

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Respondent's failure to satisfy any terms of this Order shall render the suspended penalties immediately due and payable.

21. This Order is binding upon Respondent's successors and assigns.

22. 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.

SO ORDERED this 29th day of February, 2024.

Andrew R. Stolfi, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, Chief of Enforcement
Division of Financial Regulation

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ENTITY CONSENT TO ENTRY OF ORDER

I, Travis Colwell, state that I was an officer of ACCOUNTS INTERCHANGE GROUP, LLC and authorized to act on its behalf. I have read the foregoing Order and that I know and fully understand the contents hereof. I have been advised of ACCOUNTS INTERCHANGE GROUP, LLC's right to a hearing and right to be represented by counsel in this matter. ACCOUNTS INTERCHANGE GROUP, LLC voluntarily consents to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order. ACCOUNTS INTERCHANGE GROUP, LLC understands that the Director reserves the right to take further actions against it to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Collection Agency Laws by ACCOUNTS INTERCHANGE GROUP, LLC. ACCOUNTS INTERCHANGE GROUP, LLC will fully comply with the terms and conditions stated herein.

ACCOUNTS INTERCHANGE GROUP, LLC understands that this Consent Order is a public document.

Signature: /s/ Travis Colwell

Position Held: Member

State of New York

County of Erie

Signed or attested before me on this 15th day of February ,2024

By Dante J. Tuzzolino

/s/ Dante J. Tuzzolino
Notary Public

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