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

In the Matter of:	Case No. DM-19-0010
ENCOMPASS RECOVERY GROUP LLC, Respondent.	FINAL ORDER TO CEASE AND DESIST AND ORDER ASSESSING CIVIL PENALTIES, ENTERED BY CONSENT

The Director of the Department of Consumer and Business Services for the State of Oregon ("the Director") conducted an investigation of Encompass Recovery Group LLC ("ERG") and determined that ERG violated certain provisions of Oregon Revised Statutes ("ORS") 697.602 through 697.842 and Oregon Administrative Rules ("OAR") 441-910-0000 through 441-910-0200 (collectively, "the Oregon Debt Management Service Provider Laws").

ERG wishes to settle this matter with the Director.

Now, therefore, as evidenced by the authorized signature(s) subscribed in this Order, ERG hereby consents to entry of this Order upon the Director's Findings of Fact and Conclusions of Law as stated below.

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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. ERG is a Florida company with a principal business address of 3030 N Rocky Point Drive Suite 150A, Tampa, Florida 33607.

2. Christina Diaz is ERG's chief executive officer and registered agent.

3. ERG provides debt and debt collection relief, as well as debt consolidation and credit counseling services.

4. At all times material to this Order, ERG was not registered with the Oregon

Division of Financial Regulation ("the Division") as a debt management service provider ("DMSP").

5. In 2017 and 2018, eight consumers from Oregon ("Oregon consumers") signed written contracts allowing ERG to "enter any and all transactions to proactively intervene, intercede, negotiate, mediate, or arbitrate the settlement of any and all of [each consumer's] creditor claims, suits, judgments, liens and all disputes for purposes of effecting a reasonable settlement."

6. To enable ERG to effect a settlement with creditors, each Oregon consumer agreed to make regular deposits into a "Dedicated Account" from which ERG would withdraw funds to disburse to each consumer's creditors as payment for the consumer's debts.

7. ERG disbursed funds to creditors for at least two Oregon consumers and collected fees from them. Some, but not all, of the remaining funds have been refunded to the eight Oregon consumers.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

8. Because the Director has reason to believe that ERG violated the Oregon Debt Management Service Provider Laws, the Director is authorized under ORS 697.825(1)(a) to order ERG to cease and desist from violating the Oregon Debt Management Service Provider Laws.

9. ERG performed debt management services, as defined in ORS 697.602(2)(a), by providing or offering to provide a "Dedicated Account" into which Oregon consumers could make deposits and from which ERG would withdraw funds to disburse to the consumers' creditors as payment for their debts.

10. ERG performed debt management services, as defined in ORS 697.602(2)(d), by agreeing to act on behalf of eight Oregon consumers as described in Paragraph 5 of

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this Order.

11. By performing debt management services for eight Oregon consumers without being registered in Oregon as a DMSP, ERG violated ORS 697.612(1)(a) on eight separate occasions.

12. ORS 697.832(1) authorizes the Director to impose upon ERG a civil penalty of up to $5,000 per violation of the Oregon Debt Management Service Provider Laws.

ORDER

Now therefore, the Director issues the following Order:

13. As authorized by ORS 697.825(1)(a), the Director ORDERS ERG to CEASE AND DESIST from violating the Oregon Debt Management Provider Laws.

14. If ERG decides not to register in Oregon as a DMSP, ERG agrees to include a statement in its website(s) that its services are not available in Oregon.

15. ERG agrees to refund to the Oregon consumers the fees they have paid ERG, as well as any remaining funds in the Dedicated Account or in ERG's possession, i.e., funds that have not already been refunded to the Oregon consumers or paid to creditors. ERG shall provide the Division with documentation that these funds have been refunded to the Oregon consumers.

16. As authorized by ORS 697.832(1), the Director hereby ORDERS ERG to pay $4,000.00 in civil penalties for violating ORS 697.612(1)(a).

17. The Director SUSPENDS $2,000 of the assessed civil penalties for a period of three years from the date of this Order, as long as ERG does not violate the Oregon Debt Management Service Provider Laws or the terms of this Order. If ERG commits any such violation, the suspended civil penalties will become immediately due and owing. If ERG does not violate the Oregon Debt Management Service Provider Laws or the terms of this Order during the prescribed three-year period, the suspended civil penalties will be waived thereafter.

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18. This is a "Final Order" under ORS 183.310(6)(b). Subject to that provision, the entry of this Order in no way limits further remedies available to the Director under Oregon Law to enforce this Order, or to take action for violations of this Order or of the Oregon Debt Management Service Provider Laws that are not covered by this Order.

SO ORDERED this 27th day of June, 2019.

CAMERON C. SMITH, 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, Christina Diaz , am an officer or manager of Encompass Recovery Group LLC ("ERG"). I am authorized to act and sign on behalf of ERG. I have read the foregoing Order, and I know and fully understand the contents hereof. I have been advised of the right to a hearing and of the right to be represented by counsel in this matter. ERG 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. ERG understands that the Director reserves the right to take further action to enforce this Order or to take appropriate action upon discovery that ERG has committed other violations of the Oregon Debt Management Service Provider Laws. ERG, along with its officers, directors, employees, or agents, will fully comply with the terms and conditions stated herein.

ERG understands that this Order is a public document.

/s/ Christina Diaz
Christina Diaz, Chief Executive Officer

ACKNOWLEDGMENT

State of Florida

County of Broward

Signed or attested before me on the 17 of May, 2019.

/s/ Gabriel Rodriguez
Notary Public

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