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2
3 STATE OF OREGON
4 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
5 DIVISION OF FINANCIAL REGULATION

6 In the Matter of:

Case No. DM-19-0022

7 UNITED ADVISORS GROUP, LLC,

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

8 Respondent.

9 On May 29, 2019, the Director of the Department of Consumer and Business
10 Services for the State of Oregon (“the Director”), through the Division of Financial
11 Regulation (“the Division), properly served United Advisors Group, LLC (“UAG”) an
12 Order to Cease and Desist, Proposed Order Assessing Civil Penalties, and Notice of Right
13 to a Hearing (“Notice Order”).

14 The Notice Order offered UAG an opportunity for a hearing, if requested in writing
15 within 20 days. The Notice Order further informed UAG that if a hearing was not
16 conducted because UAG did not timely request a hearing or otherwise defaulted, then the
17 designated portion of the Division’s file, which includes all materials UAG submitted,
18 would automatically become part of the contested case record to prove a *prima facie* case.
19 UAG has not made a written request for a contested hearing, and the time to do so has
20 expired.

21 After considering the relevant portions of the Division’s file in this matter, the
22 Director finds that the record proves a *prima facie* case. Now, therefore, the Director makes
23 the following Findings of Fact and Conclusions of Law and issues the following Orders.

24 **FINDINGS OF FACT**

25 The Director FINDS that:

- 26 1. UAG is a California company with a principal place of business located at 1621

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





1 Alton Parkway Suite 170, Irvine, CA 92606. Its website is www.unitedadvisorsgroup.com.

2 2. H2W Capital LLC is the manager or member of UAG, and Natalie Brems is the
3 registered agent for UAG.

4 3. The California Franchise Tax Board suspended UAG for failure to meet tax
5 requirements.

6 4. UAG is a document preparation company. It assists borrowers in preparing their
7 applications to the various student loan repayment, consolidation, and forgiveness
8 programs of the U.S. Department of Education (“DOE”).

9 5. UAG is neither registered with the Oregon Secretary of State to do business in
10 Oregon nor registered with the Division as a debt management service provider.

11 6. The Income-Based Repayment Plan (“IBR Plan”) is one of DOE’s income-
12 driven repayment plans, where a borrower’s monthly payment is based on the borrower’s
13 income and family size. The IBR Plan requires the borrower to “recertify” his or her income
14 and family size every year.

15 7. Upon information and belief, starting in or around 2014 until 2018, UAG filed
16 an application and subsequent annual recertifications for the IBR Plan on behalf of AZ, an
17 Oregon consumer. During that four-year period, AZ paid UAG a total of \$1,973 in fees for
18 its services.

19 8. In October 2018, AZ filed a complaint against UAG with the Division. UAG
20 subsequently refunded AZ the \$1,973 in fees he had paid the company.

21 CONCLUSIONS OF LAW

22 The Director CONCLUDES that:

23 9. Because the Director has reason to believe that UAG has violated the Oregon
24 Debt Management Service Provider Law, the Director is authorized under ORS
25 697.825(1)(a) to order UAG to cease and desist from violating the Oregon Debt
26 Management Service Provider Law.

1 10. By agreeing to prepare AZ’s IBR Plan application and recertifications for a fee
2 from 2014 to 2018, UAG modified or offered to modify the terms and conditions of an
3 existing loan from or obligation to a third party on four separate occasions.

4 11. By modifying or offering to modify terms and conditions of an existing loan
5 from or obligation to a third party, UAG performed a debt management service, as defined
6 in ORS 697.602(2)(c), on four separate occasions.

7 12. By performing a debt management service on four separate occasions without
8 being registered with the Division, UAG violated ORS 697.612(1)(a).

9 13. ORS 697.832(1) authorizes the Director to assess a civil penalty against UAG
10 of up to \$5,000 per violation of the Oregon Debt Management Service Provider Law.

11 **ORDERS**

12 Now therefore, the Director issues the following Orders:

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

15 15. As authorized by ORS 697.832(1), the Director ORDERS UAG to pay
16 \$20,000 in civil penalties for violating ORS 697.612(1)(a) on four separate occasions.

17 16. This is a “Final Order” under ORS 183.310(6)(b). Subject to that provision, the
18 entry of this Order does not limit further remedies which may be available to the Director
19 under Oregon law.

20
21 SO ORDERED this 24th day of June, 2019.

22 CAMERON C. SMITH, Director
23 Department of Consumer and Business Services

24 /s/ Dorothy Bean
25 Dorothy Bean, Chief of Enforcement
26 Division of Financial Regulation

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NOTICE OF RIGHT TO JUDICIAL APPEAL

Except as provided in ORS 697.825(2)(e), you may be entitled to judicial review of this Order under ORS 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon, within 60 days from the date this Order is served.

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