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

In the Matter of: OREGON ONE, INC., a Domestic Business Corporation, Respondent.	Case No. CA-20-0044 ORDER TO CEASE AND DESIST, ORDER ASSESSING CIVIL PENALTY, ORDER PERMANENTLY PROHIBITING OREGON COLLECTION AGENCY AND DEBT BUYER ACTIVITY, AND CONSENT TO ENTRY OF 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 441-910-0260 ("Oregon Collection Agency Law") has determined that Oregon One, Inc. ("Respondent") engaged in activities that violated the Oregon Collection Agency Law.

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

FINDINGS OF FACT

The Director FINDS that:

1. Respondent is an Oregon corporation with a principal place of business at 5848 SE Milwaukie Ave., Portland, Oregon, 97202.

2. In or around 1988, the Director issued the following to Respondent:

   A. Oregon collection agency registration number 50253; and

   B. Oregon debt buyer license number DB-91.

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3. In or around April 2016, Respondent mailed collection letters to 123 Oregonians regarding their consumer debts ("Collection Letters"). The Collection Letters shared the following characteristics:

A. They did not identify the interest rates associated with the debts;

B. They did not identify the overall interest that had accrued on the debts;

C. They did not identify the debts' creditors;

D. Disclaimers regarding the consumers' rights to dispute and receive verification of the debts were in fainter font than other portions of the letters;

E. The disclaimers were in single-spaced type whereas other portions of the letters were double-spaced; and

F. The disclaimers did not state that requests to obtain verification of the debts needed to be in writing, under the Fair Debt Collection Practices Act.[1]

4. On or around February 25, 2019, Respondent filed for bankruptcy.

5. On January 1, 2020, Respondent's Oregon collection agency registration and debt buyer license terminated for failure to renew.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

6. By mailing the Collection Letters to 123 Oregon consumers, Respondent directly engaged in soliciting claims for collection and attempting to collect claims, and thereby acted as a "collection agency" under ORS 697.005(1)(a).

7. By mailing the Collection Letters, each of which had the deficiencies identified in Paragraph (3), Respondent used misleading representations in connection with the collection of each of those debts, in violation of OAR 441-810-0240.

8. OAR 441-810-0240 was adopted under ORS 697.085.

9. Because the Director has reason to believe that Respondent has violated ORS

[1] *See* 15 U.S.C. 1692g(a)(4).

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OAR 441-810-0240, the Director may issue an order to Respondent to cease and desist from those violations, under ORS 697.093(1)(d)(A).

10. The Director may impose a civil penalty of up to $1,000 *per offense* upon a person who violates ORS 697.015 or any rule adopted under ORS 697.031, 697.085 or 697.086.

ORDERS

Now therefore, the Director issues the following Orders:

11. As authorized by ORS 697.093(1)(d)(A), the Director ORDERS Respondent to CEASE AND DESIST from violating OAR 441-810-0240.

12. Respondent hereby AGREES to permanently refrain from all activities that require registration under Oregon Collection Agency Laws and/or licensure under the Oregon Debt Buyer Law,[2] including activities taken on behalf of a registered Oregon collection agency and/or licensed Oregon debt buyer.

13. As authorized by ORS 697.095, the Director hereby ORDERS that Respondent be subject to a CIVIL PENALTY of $25,000 for violating OAR 441-810-0240 in 123 instances.

14. The Director hereby suspends payment of $25,000 of the CIVIL PENALTY for a period of three years, provided Respondent does not violate the Oregon Collection Agency Law and/or Oregon Debt Buyer Law within the three-year time period.

15. The suspended CIVIL PENALTY ($25,000) will be waived three years from the effective date of this Order, provided Respondent has complied with the foregoing Order terms. The Director reserves the right to immediately assess and collect the suspended civil penalty upon a determination that Respondent has violated any term of this Order.

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[2] The Oregon Debt Buyer Law consists of ORS 646A.640 to ORS 646A.673 and OAR Chapter 441, Division 820.

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

17. 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 13th day of July, 2020.

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, Shyrlene Mason, state that I am an officer of Respondent 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 Respondent's right to a hearing and right to be represented by counsel in this matter. Respondent 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. Respondent 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 Law and/or Oregon Debt Buyer Law by Respondent. Respondent will fully comply with the terms and conditions stated herein.

Respondent understands that this Consent Order is a public document.

Signature: Shyrlene Mason

Position Held: President

State of Oregon

County of Lincoln

Signed or attested before me on this 1st day of July, 2020 by Shyrlene Mason.

/s/ Nicole Josette Maggard
Notary Public

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