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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-20-0048

7 CONSUMER CAPITAL ADVOCATES,  
8 LLC dba CONSUMER CREDIT CARD  
9 RELIEF, a Florida Limited Liability  
10 Company,

ORDER TO CEASE AND DESIST,  
ORDER ASSESSING CIVIL  
PENALTY, AND CONSENT TO  
ENTRY OF ORDER

11 Respondent.

12 The Director of the Department of Consumer and Business Services for the State  
13 of Oregon (“Director”), acting in accordance with Oregon Revised Statutes (“ORS”)  
14 697.602 et seq. and Oregon Administrative Rules (“OAR”) 441-910-0000 through 441-  
15 910-0200 (collectively, “Oregon Debt Management Service Provider Law”), conducted an  
16 investigation into the activities of Consumer Capital Advocates, LLC dba Consumer Credit  
17 Card Relief (“Respondent”) and determined that Respondent engaged in activities  
18 constituting violations of the Oregon Debt Management Service Provider Law.

19 Respondent, without admitting or denying the Director’s findings of fact or  
20 conclusions of law, wishes to resolve and settle this matter with the Director.

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

24 FINDINGS OF FACT

25 The Director FINDS that:

26 1. Respondent is a Florida limited liability company with a principal place of  
business located at 3221 NW 10<sup>th</sup> Terrace, Suite 502, Oakland Park FL 33309.

2. From in or around January 2017 through in or around November 2019,

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1 Respondent contracted with 232 Oregon residents (“Oregon Clients”) to reduce or attempt  
2 to reduce their third-party consumer debt obligations.

3 3. At no time has Respondent been registered to perform debt management  
4 services in Oregon.

5 4. Respondent charged the Oregon Clients fees equivalent to 35 percent of the  
6 savings they earned on their enrolled debts through Respondent’s efforts. In total,  
7 Respondent collected \$244,207.30 in fees from 148 of the Oregon Clients.<sup>1</sup>

8 5. Respondent has fully cooperated with the Director’s investigation of this matter  
9 and complied with all of the Director’s requests for information.

10 CONCLUSIONS OF LAW

11 The Director CONCLUDES that:

12 6. Obtaining or attempting to obtain concessions from a creditor on behalf of a  
13 consumer, such as a reduction in the amount owed under a debt obligation, constitutes a  
14 “debt management service” as defined under ORS 697.602(2).

15 7. By performing the foregoing debt management services for the Oregon Clients,  
16 Respondent acted as a “debt management service provider” as defined under ORS  
17 697.602(2)(c).

18 8. By acting as a debt management service provider without being registered with  
19 the Director, Respondent violated ORS 697.612(1)(a) in 232 instances.

20 9. By charging the Oregon Clients fees equivalent to 35 percent of the savings  
21 they earned on their enrolled debts, Respondent charged excessive fees in violation of ORS  
22 697.692(1), in 148 instances.

23 10. Because the Director has reason to believe that Respondent has engaged in  
24 violations of the Oregon Debt Management Service Provider Law, the Director may issue  
25 an order to Respondent to cease and desist from violations of the Oregon Debt Management  
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<sup>1</sup> The remaining Oregon Clients cancelled their contracts before paying fees to Respondent.

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1 Service Provider Law under ORS 697.825(1)(a).

2 11. The Director may impose a civil penalty on a person in an amount not to exceed  
3 \$5,000 for each violation of ORS 697.612 or 697.642 to 697.702, rules adopted under ORS  
4 697.632 or order issued under ORS 697.825.

5 ORDERS

6 Now therefore, the Director issues the following Orders:

7 12. As authorized by ORS 697.825(1)(a), the Director ORDERS Respondent to  
8 CEASE AND DESIST from violating ORS 697.612(1)(a) and ORS 697.692(1).

9 13. As authorized by ORS 697.832(1), the Director hereby ORDERS that  
10 Respondent be subject to a CIVIL PENALTY of \$100,000 as follows:

11 A. \$50,000 for violating ORS 697.612(1)(a); and

12 B. \$50,000 for violating ORS 697.692(1).

13 14. The Director hereby suspends payment of \$95,000 of the CIVIL PENALTY for  
14 a period of three years, provided Respondent:

15 A. Complies with the terms of this Order;

16 B. Does not violate the Oregon Debt Management Service Provider Law  
17 within the three-year time period; and

18 C. Refunds \$244,207.30 to the 148 Oregon Clients from whom fees were  
19 collected within one (1) year from the effective date of this Order and provides the  
20 Division with documentation of such payments within that timeframe.

21 15. In the event Respondent cannot make successful payment to an Oregon Client  
22 within one (1) year from the effective date of this Order, Respondent shall send  
23 communication to the consumer's last-known electronic *and* mailing address to notify them  
24 they are entitled to funds to be made available through the Oregon Department of State  
25 Lands ("DSL"). Respondent shall provide DSL with all such unclaimed funds, along with  
26 the consumer's contact information and a copy of this Order. DSL will distribute the funds

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1 to Oregon Clients that contact the Director or DSL.

2 16. The non-suspended CIVIL PENALTY (\$5,000) is due and payable at the time  
3 this Order is submitted to the Director.

4 17. The suspended CIVIL PENALTY (\$95,000) will be waived three years from  
5 the date this Order is finalized, provided Respondent has complied with the foregoing  
6 Order terms. The Director reserves the right to immediately assess and collect the  
7 suspended civil penalty upon a determination that Respondent has violated any term of this  
8 Order.

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

10 19. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that  
11 provision, the entry of this Order does not limit other remedies that are available to the  
12 Director under Oregon law, including, but not limited to, the Director's authority to enforce  
13 this Order or take action against Respondent for violations of this Order or violations not  
14 in this Order that are discovered after the date of this Order.

15 SO ORDERED this 29<sup>th</sup> day of September, 2020.

16 ANDREW R. STOLFI, Director  
17 Department of Consumer and Business Services

18 /s/ Dorothy Bean  
19 Dorothy Bean Chief of Enforcement  
20 Division of Financial Regulation

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**ENTITY CONSENT TO ENTRY OF ORDER**

I, Jenssen Varela, state that I am an officer of Respondent and am authorized to act on its behalf. I have read the foregoing Order and 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 Debt Management Service Provider Law with the terms and conditions stated herein.

Respondent further assures the Director that neither Respondent nor its officers, directors, employees, or agents will effect debt management services in Oregon unless such activities are in full compliance with the Oregon Debt Management Service Provider Law. Respondent understands that this Consent Order is a public document.

Signature: /s/ Jenssen Varela

Position Held: Manager

State of Florida

County of Broward

Signed or attested before me on this 23<sup>rd</sup> day of September, 2020

by Jenssen Varela.

/s/ Sally Hoff  
Notary Public

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