

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

In the Matter of:

Case No. DM-19-0117

EZ CREDIT CONSULTING AND REPAIR,  
LLC, a dissolved Limited Liability Company,  
ERIN SWANN dba EZ CREDIT EXPERTS  
dba EZ CREDIT COUNSELING, an  
Individual, and KAREN SEAVY dba EZ  
CREDIT EXPERTS dba EZ CREDIT  
COUNSELING, an Individual,

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

Respondents.

The Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), acting in accordance with Oregon Revised Statutes (“ORS”) 697.602 et seq. and Oregon Administrative Rules (“OAR”) 441-910-0000 through 441-910-0200 (collectively, “Oregon Debt Management Service Provider Law”), conducted an investigation into the activities of EZ Credit Consulting and Repair, LLC (“EZ Credit”), Erin Swann dba EZ Credit Experts dba EZ Credit Counseling (“Swann”), and Karen Seavy dba EZ Credit Experts dba EZ Credit Counseling (“Seavy”) (collectively, “Respondents”) and determined that Respondents engaged in activities constituting violations of the Oregon Debt Management Service Provider Law.

Respondents wish to resolve and settle this matter with the Director.

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

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Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
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1 FINDINGS OF FACT

2 The Director FINDS that:

3 1. EZ Credit is a limited liability company that administratively dissolved on  
4 December 1, 2016. Swann and Seavy were EZ Credit’s officers.

5 2. Swann and Seavy continued to conduct business as EZ Credit Experts and EZ  
6 Credit Counseling following EZ Credit’s dissolution.

7 3. At no time have Respondents been registered to perform debt management  
8 services in Oregon.

9 4. From in or around 2017 through in or around 2018, Respondents improved or  
10 offered to improve the credit record, credit history, and credit rating of Oregon consumers  
11 for compensation.

12 5. From in or around 2017 through in or around 2018, Respondent referred Oregon  
13 consumers to Debt Assistance Network, LLC (“DAN”), claiming that DAN would assume  
14 and reduce their consumer debts.<sup>1</sup>

15 6. Swann and Seavy received money or other valuable consideration, or expected  
16 to receive the same, for referring Oregon consumers to DAN.

17 CONCLUSIONS OF LAW

18 The Director CONCLUDES that:

19 7. By improving or offering to improve the credit records, credit history and credit  
20 ratings of Oregon consumers for compensation, Respondents performed “debt  
21 management services” as defined under ORS 697.602(2)(b).

22 8. By performing debt management services without being registered as Oregon  
23 debt management service providers, Respondents violated ORS 697.612(1)(a).

24 9. DAN is a “debt management service provider” as defined under ORS  
25 697.602(3).

26 <sup>1</sup> See related Division of Financial Regulation (“Division”) case number DM-19-0096 against DAN.

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1 10. By referring Oregon consumers to DAN, for which they received or expected  
2 to receive money or other valuable consideration, without being registered as Oregon debt  
3 management service providers, Respondents referred consumers to a debt management  
4 service provider, in violation of ORS 697.612(1)(b)(C).

5 11. Because the Director has reason to believe that Respondents have engaged in  
6 violations of the Oregon Debt Management Service Provider Law, the Director may issue  
7 an order to Respondents to cease and desist from violations of ORS 697.612, under ORS  
8 697.825(1)(a).

9 12. In addition to any other liability or penalty provided by law, the Director may  
10 impose a civil penalty on a person in an amount not to exceed \$5,000 for each violation of  
11 ORS 697.612.

12 ORDERS

13 Now therefore, the Director issues the following Orders:

14 13. As authorized by ORS 697.825(1)(a), the Director ORDERS Respondents to  
15 CEASE AND DESIST from violating ORS 697.612(1)(a) and ORS 697.612(1)(b)(C).

16 14. As authorized by ORS 697.832(1), the Director hereby ORDERS that  
17 Respondents be jointly and severally subject to a CIVIL PENALTY of \$20,000 as follows:

18 A. \$10,000 for violating ORS 697.612(1)(a); and

19 B. \$10,000 for violating ORS 697.612(1)(b)(C).

20 15. The Director hereby suspends payment of \$18,000 of the CIVIL PENALTY for  
21 a period of three years, provided Respondents:

22 A. Comply with the terms of this Order; and

23 B. Do not violate the Oregon Debt Management Service Provider Law  
24 within the three-year time period.

25 16. The suspended CIVIL PENALTY (\$18,000) will be waived three years from  
26 the date this Order is finalized, provided Respondents have complied with the foregoing

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1 Order terms. The Director reserves the right to immediately assess and collect the  
2 suspended civil penalty upon a determination that Respondents have violated any term of  
3 this Order.

4 17. The non-suspended CIVIL PENALTY (\$2,000) is due and payable as follows:

5 A. \$200 at the time this Order is returned to the Director; and

6 B. \$100 a month for 18 months thereafter. The first monthly payment shall  
7 be due on March 2, 2020 and subsequent payments shall be due on the first business  
8 day of each month.

9 18. This Order is binding upon Respondents' 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.

13 SO ORDERED this 24<sup>th</sup> day of February, 2020.

14 LOUIS SAVAGE, Acting Director  
15 Department of Consumer and Business Services

16 /s/ Dorothy Bean

17 Dorothy Bean Chief of Enforcement  
18 Division of Financial Regulation

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**ENTITY CONSENT TO ENTRY OF ORDER**

I, Karen Seavy/Erin Swann, state that I was an officer of EZ Credit 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 EZ Credit’s right to a hearing and right to be represented by counsel in this matter. EZ Credit 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. EZ Credit 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.

EZ Credit further assures the Director that neither EZ Credit 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. EZ Credit understands that this Consent Order is a public document.

Signature: /s/ Erin Swann /s/ Karen Seavy  
Position Held: Manager Owner

State of Oregon  
County of Lane

Signed or attested before me on this 6<sup>th</sup> day of February, 2020  
by Erin Swann and Karen Seavy.

/s/ Terra Hager  
Notary Public

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**CONSENT TO ENTRY OF ORDER**

I, Erin Swann, state that I have read the foregoing Order and that I know and fully understand the contents hereof. I have been advised of my right to a hearing and of my right to be represented by counsel in this matter. I voluntarily consent 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. I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Debt Management Service Provider Law by me. I will fully comply with the terms and conditions stated herein.

Signature: /s/ Erin Swan

State of Oregon  
County of Lane

Signed or attested before me on this 6<sup>th</sup> day of February, 2020  
by Erin Swann.

/s/ Terra Hager  
Notary Public

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**CONSENT TO ENTRY OF ORDER**

I, Karen Seavy, state that I have read the foregoing Order and that I know and fully understand the contents hereof. I have been advised of my right to a hearing and of my right to be represented by counsel in this matter. I voluntarily consent 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. I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Debt Management Service Provider Law by me. I will fully comply with the terms and conditions stated herein.

Signature: /s/ Karen Seavy

State of Oregon

County of Lane

Signed or attested before me on this 6<sup>th</sup> day of February, 2020

by Karen Seavy.

/s/ Terra Hager

Notary Public

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