

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

In the Matter of:

Case No. DM-20-0078

FRESH START CREDIT SERVICES, LLC,

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

Respondent.

The Director of the Department of Consumer and Business Services for the State of Oregon (the “Director”), through the Oregon Division of Financial Regulation (the “Division”), investigated the business activities of Fresh Start Credit Services, LLC (“FSCS” or the “company”) and determined that FSCS 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 Law”).

FSCS cooperated with the Division’s investigation and wishes to settle this matter with the Director.

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

**FINDINGS OF FACT**

The Director FINDS that:

1. FSCS is a debt validation and credit repair/restoration company located at 100 B Street, Suite 200, Santa Rosa, California 95401.
2. FSCS is neither registered with the Oregon Secretary of State to do business in Oregon nor registered with the Division as a debt management service provider (“DMSP”).

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



1 3. At all times relevant to this Order, FSCS's website was  
2 [www.fscreditservices.com](http://www.fscreditservices.com), which is no longer active. The company's current website is  
3 [www.freshstartcs.com](http://www.freshstartcs.com).

4 4. On its now defunct website, [www.fscreditservices.com](http://www.fscreditservices.com), FSCS stated that its  
5 debt resolution program involved three steps: challenging collectors, offering relief, and  
6 restoring credit. The company described the steps as follows:

7 The 1<sup>st</sup> step is account validation. This is a process in which a legal demand  
8 is sent to our client's bill collectors, demanding they prove the account is  
9 valid and they have the legal right to collect on it. The credit card industry  
10 has become increasingly unfair, deceptive, and predatory, and often do not  
11 fully qualify a candidate for a credit card. This process ensures that our  
12 clients do not have to pay on accounts that are legally noncollectible.

13 The 2<sup>nd</sup> step is to provide the tools and resources so our clients can develop  
14 the necessary skills and knowledge to have healthy financial practices in the  
15 future.

16 *The 3<sup>rd</sup> step is credit restoration.* All erroneous and invalid debts are  
17 removed from our client's credit report, giving them the opportunity for a  
18 fresh start.

19 (Emphasis added.)

20 5. From January to April 2019, FSCS provided or offered to provide debt  
21 validation and credit repair/restoration services to at least 17 Oregon consumers ("Oregon  
22 Clients"). The Oregon Clients each signed a Debt Resolution Agreement, which stated, in  
23 relevant part, that FSCS "will facilitate debt resolution services to assist you in resolving  
24 your debt and removing erroneous, invalid or inaccurate information on your credit  
25 report(s), with the objective of relieving you of your financial hardship and *improving your  
26 credit score and profile.*" (Emphasis added.) The Debt Resolution Agreement further stated  
that FSCS "will obtain and analyze your credit reports *to develop strategies to repair your  
credit.*" (Emphasis added.)

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1 CEASE AND DESIST from violating ORS 697.612(1)(a) and ORS 697.692(1)(f).

2 15. As authorized by ORS 697.832(1), the Director ORDERS FSCS to pay \$12,500  
3 in CIVIL PENALTIES, allocated as follows:

4 A. \$8,500 for 17 violations of ORS 697.612(1)(a) and

5 B. \$4,000 for 8 violations of 697.692(1)(f).

6 16. The Director SUSPENDS \$6,250 of the civil penalties, provided FSCS  
7 complies with these conditions:

8 A. FSCS shall refund the fees each Oregon Client paid FSCS, as itemized in  
9 paragraph 6 of this Order;

10 B. FSCS shall complete refunds to each Oregon Client, using reasonable efforts  
11 and means, within 90 days of the date of this Order and provide the Division with proof  
12 of the refunds;

13 C. If FSCS cannot locate a particular Oregon Client within 90 days of the date of  
14 this Order, FSCS shall provide the refund to the Oregon Department of State Lands  
15 (“DSL”) for the DSL to distribute to the Oregon Client if the Oregon Client claims the  
16 refund;

17 D. If FSCS chooses not to register in Oregon as a DSMP, it will indicate in its  
18 website(s) that its services are not available in Oregon; and

19 E. FSCS shall not violate the Oregon Debt Management Service Provider Law or  
20 the terms of this Order.

21 17. If FSCS fails to satisfy the above conditions, the suspended portion of the civil  
22 penalties amounting to \$6,250 will become immediately due and owing. If FSCS satisfies  
23 the above conditions, the Director will waive the suspended portion of the civil penalties  
24 three years after the date of this Order.

25 18. Along with this Order, FSCS shall submit to the Director \$6,250 as payment  
26 for the non-suspended portion of the civil penalties.

1 19. This Order is a “Final Order” under ORS 183.310(6)(b). Subject to this  
2 provision, entry of this Order does not limit the Director’s authority to enforce this Order  
3 or take action against FSCS for violations of this Order or violations not included in this  
4 Order that are discovered after the date of this Order.

5  
6 SO ORDERED this 10<sup>th</sup> day of December, 2020.

7 ANDREW R. STOLFI, Director  
8 Department of Consumer and Business Services

9  
10 /s/ Dorothy Bean  
11 Dorothy Bean, Chief of Enforcement  
12 Division of Financial Regulation

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17 Division of Financial Regulation  
18 Labor and Industries Building  
19 350 Winter Street NE, Suite 410  
20 Salem, OR 97301-3881  
21 Telephone: (503) 378-4387



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**ENTITY CONSENT TO ENTRY OF ORDER**

I, Joseph Titone, am an officer or manager of Fresh Start Credit Services, LLC (“FSCS”). I am authorized to act and sign on behalf of FSCS. 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. FSCS voluntarily consents to the entry of this Order with no force or duress, expressly waiving any right to a hearing in this matter and any rights to administrative or judicial review of this Order. FSCS understands that the Director reserves the right to take further action to enforce this Order or to take action upon discovery that FSCS has committed other violations of the Oregon Debt Management Service Provider Law. FSCS, along with its officers, directors, employees, or agents, will comply with the terms and conditions stated herein.

FSCS understands that this Order is a public document.

Signature: /s/ Joseph Titone

Position Held: Manager

**ACKNOWLEDGMENT**

State of AZ

County of Maricopa

Signed or attested before me on the 23 of Nov, 2020.

/s/ Kewal S. Brah  
Notary Public

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