

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

In the Matter of:

Case No. DM-19-0142

THE PROCESSING CENTER LLC, aka
PROCESSING CENTER LLC,

Respondent.

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

On May 14, 2020, 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”), properly served The Processing Center LLC, aka Processing Center LLC (“TPC”) an Order to Cease and Desist, Proposed Order Assessing Civil Penalties, and Notice of Right to a Hearing (“Notice Order”) via regular and certified United States mail at the company’s last known business address and other known associated addresses.

On June 4, 2020, pursuant to ORS 63.731(2)(c) and (e), the Director, through the Division, served a true copy of the Notice Order via regular and certified United States mail on the Oregon Secretary of State as an agent for service of process for TPC at 255 Capitol Street NE, Ste 151, Salem, OR 97310.

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

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1 After considering the relevant portions of the Division’s file in this matter, the
2 Director finds that the record proves a *prima facie* case.

3 Now, therefore, the Director makes the following Findings of Fact and Conclusions
4 of Law and issues the following Order.

5 **FINDINGS OF FACT**

6 The Director FINDS that:

7 1. TPC is a document preparation company purportedly located at 875 N.
8 Michigan Ave, Chicago, Illinois 60611. The website previously used,
9 <http://ineedstudentloanhelptoday.com>, is no longer active.

10 2. TPC is neither registered with the Oregon Secretary of State to conduct business
11 in Oregon nor registered with the Oregon Division of Financial Regulation (“the Division”)
12 as a debt management service provider (“DMSP”).

13 3. For a fee, TPC claims to assist borrowers who are applying to the various
14 federal student loan repayment, consolidation, or forgiveness programs of the U.S.
15 Department of Education (“DOE”) by providing consultation and analysis services to
16 determine what DOE programs the borrower qualifies for and preparing the borrower’s
17 application to the appropriate program. Borrowers, however, may apply directly to the
18 DOE’s programs for free.

19 4. On August 20, 2018, CC, an Oregon consumer, contacted TPC to discuss his
20 federal student loans. CC believed he was contacting Navient, the servicer for his student
21 loans. TPC falsely advised CC it was a third party who worked with Navient and processed
22 applications for student loan forgiveness programs. TPC further falsely advised CC he
23 could pay \$2,858.00 over 36 months and his loans would be cleared.

24 5. On August 20, 2018, CC authorized TPC to process an initial fee payment of
25 \$1,429.00 from his credit card. That same day, CC received an email from a representative
26 of TPC, Nicolette Williams, stu123.postman@postman.io, confirming that TPC received

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1 his payment, which was processed by Orton Doc Prep LLC, one of TPC's payment
2 companies. The email additionally provided telephone numbers for questions regarding
3 payment and customer service. The telephone numbers provided, however, are invalid.

4 6. CC paid TPC a total of \$2,858.00.

5 7. Thereafter, CC contacted Navient and was advised that TPC was not an affiliate
6 of Navient and that TPC had not contacted Navient regarding CC's student loans. Navient
7 additionally advised that the transaction with TPC could be fraudulent and referred CC to
8 the Federal Trade Commission.

9 8. TPC did not prepare CC's application for any of the DOE's programs. CC did
10 not receive a refund of the \$2,858.00 in fees paid to TPC.

11 CONCLUSIONS OF LAW

12 The Director CONCLUDES that:

13 9. By offering to provide CC the services described in paragraph 3 of this Order,
14 TPC offered to modify the terms and conditions of an existing loan from or obligation to a
15 third party.

16 10. By offering to modify the terms and conditions of an existing loan from or
17 obligation to a third party, TPC performed a debt management service as defined in ORS
18 697.602(2)(c).

19 11. By offering to perform a debt management service without being registered
20 with the Division as a DMSP, TPC violated ORS 697.612(1)(a).

21 12. By charging CC an initial fee of \$1,492, TPC violated ORS 697.692(1)(a),
22 which prohibits a DMSP from charging more than a \$50 initial fee.

23 13. By falsely claiming it was a third party associated with Navient and failing to
24 modify CC's student loans as agreed upon, TPC made an untrue or misleading statement,
25 in violation of ORS 697.662(1).

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

3 15. Because the Director has reason to believe that TPC violated ORS
4 697.612(1)(a), ORS 697.692(1)(a), and ORS 697.662(1), the Director is authorized under
5 ORS 697.825(1)(a) to order TPC to cease and desist from violating these statutes.

6 **ORDER**

7 Now therefore, the Director issues the following:

8 16. As authorized by ORS 697.825(1)(a), the Director hereby ORDERS TPC to
9 CEASE AND DESIST from violating ORS 697.612(1)(a), ORS 697.692(1)(a), and ORS
10 697.662(1).

11 17. As authorized by ORS 697.832(1), the Director hereby ORDERS TPC to pay
12 \$15,000 in CIVIL PENALTIES, allocated as follows:

- 13 A. \$5,000 for violating ORS 697.612(1)(a),
- 14 B. \$5,000 for violating ORS 697.692(1)(a), and
- 15 C. \$5,000 for violating ORS 697.662(1).

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

19
20 SO ORDERED this 25th day of June, 2020.

21 ANDREW R. STOLFI, Acting Director
22 Department of Consumer and Business Services

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

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1 **NOTICE OF RIGHT TO JUDICIAL APPEAL**

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

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