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

In the Matter of: THE OLIVER LAW GROUP, PA, a Florida Professional Association Respondent.	Case No. DM-21-0011 ORDER TO CEASE AND DESIST, ORDER ASSESSING CIVIL PENALTIES, AND CONSENT TO ENTRY OF ORDER THIS IS A FINAL 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") 697.602 et seq. and Oregon Administrative Rules ("OAR") 441-910-0000 through 441-910-0200 (collectively, "Oregon Debt Management Service Provider Law"), has determined that The Oliver Law Group, PA ("OLG" or "Respondent") engaged in activities constituting violations of the Oregon Debt Management Service Provider Law.

OLG 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. OLG is a law firm based in Florida. The business address of OLG is 1166 W. Newport Center Drive, Suite 308, Deerfield Beach, FL 33442. The Principal of Oliver Law Group an attorney licensed to practice in Florida.

2. OLG is not registered as a Debt Management Services Provider (DMSP) in Oregon.

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3. In February of 2020, the Division received information that OLG was working in conjunction with Consumer Capital Advocates (CCA) and Complete Legal Plan (CLP). At that time, CCA was engaged in unlicensed Debt Management Service Provider activities in Oregon.

4. OLG provided administrative services in support of CLP's attorney referral program and acted as a sort of customer support line to answer questions about the CLP program.

5. OLG did not keep records of the consumers that OLG provided services for while working with CCA.

6. OLG did not receive any money from Oregon consumers directly. Rather, OLG was paid a bulk rate by CCA to provide customer support services to CCA's clients.

7. In at least one instance, an Oregon consumer was required as part of their service agreement with CCA to authorize OLG to contact that consumer's creditors and to "negotiate my unsecured creditors to settle my accounts with them."

CONCLUSIONS OF LAW

The Director CONCLUDES that:

Unregistered DMSP Activity

8. ORS 697.612(1)(a), forbids persons who have not registered with the Director as a DMSP from providing debt management services in Oregon.

9. Under ORS 697.602(2), "debt management services" includes

> "an activity for which a person receives money or other valuable consideration or expects to receive money or other valuable consideration in return for
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> "(c) Modifying or offering to modify terms and conditions of an existing loan from or obligation to a third party; or

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> "(d) Obtaining or attempting to obtain as an intermediary on a consumer's behalf a concession from a creditor including, but not limited to, a reduction in the principal, interest, penalties or fees associated with a debt."

10. In light of OLG's role with CCA, the portion of the CCA service agreement authorizing OLG to contact the consumer's creditors to negotiate on the consumer's behalf and to "negotiate my unsecured creditors to settle my accounts with them" amounts to an offer by OLG to modify the terms and conditions of the consumer's debt to a third party.

11. Through its work with CCA, OLG violated ORS 697.612(1)(a) in at least one instance by offering to modify the terms and conditions of the debt of an Oregon consumer without first being registered with the Director as a DMSP.

Recordkeeping Violations

12. Under ORS 697.672(1), a DMSP shall "make, keep and maintain accounts, correspondence, memoranda, papers, books and other records * * * to ensure that the debt management service provider is complying with the provisions of ORS 697.602 to 697.842." Pursuant to ORS 697.672(2), these records are to be maintained "for a period of three years after the date of the last entry in the record."

13. Through its work with CCA, OLG violated ORS 697.672 (1) by failing to "make, keep and maintain" records to ensure compliance with the Oregon Debt Management Service Providers Law.

Cease and Desist Authority

14. Under ORS 697.825(1)(a), because the Director has reason to believe that OLG has engaged in violations of the Oregon Debt Management Service Provider Law, the Director may issue an order to OLG to cease and desist from violations of Oregon Debt Management Service Provider Law.

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Civil Penalties Authority

15. Under ORS 697.832(1), the Director may impose a civil penalty not to exceed $5,000 for each violation of the Oregon Debt Management Service Provider Law.

ORDERS

Now therefore, the Director issues the following Orders:

Cease and Desist

16. As authorized by ORS 697.825(1)(a), the Director ORDERS OLG to CEASE AND DESIST from violating ORS 697.612(1)(a) and ORS 697.672

Civil Penalties

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

A. $5,000 for violating ORS 697.612(1)(a) by engaging in DMSP activities without registering with the Director.

B. $5,000 for violating ORS 697.672 by failing to "make, maintain and keep" records of the Oregon consumers for whom OLG provided DMSP services.

18. The Director hereby SUSPENDS payment of $8,000 of the CIVIL PENALTY imposed on OLG for a period of three years from the effective date of this Order, provided OLG complies with the following terms: For the three years following the effective date of this Order, OLG shall commit no new violations of the Oregon Debt Management Service Provider Law.

19. The $2,000 unsuspended amount of the CIVIL PENALTY assessed herein against OLG is due and payable at the time this Order is returned to the Division.

20. The suspended CIVIL PENALTY will be waived three years from the effective date of this Order, provided OLG has complied with the forgoing Order terms and does not commit any further violations of the Oregon Debt Management Service Provider Law

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during the three year period. The Director reserves the right to immediately assess and collect the suspended civil penalty upon a determination that OLG has violated any term of this Order or has committed any further violation of the Oregon Debt Management Service Provider Law.

21. This Order is binding upon OLG's successors and assigns.

22. 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 23rd day of September, 2021.

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, Bert R. Oliver, state that I am an officer of THE OLIVER LAW GROUP, PA. and authorized to act on its behalf. I have read the foregoing Consent Order and that I know and fully understand the contents hereof. I have been advised of THE OLIVER LAW GROUP, PA's right to a hearing and right to be represented by counsel in this matter. THE OLIVER LAW GROUP, PA voluntarily consents to the entry of this Consent 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 Consent Order. THE OLIVER LAW GROUP, PA understands that the Director reserves the right to take further actions against it to enforce this Consent Order or to take appropriate action upon discovery of other violations of the Oregon Debt Management Service Provider law by THE OLIVER LAW GROUP, PA. THE OLIVER LAW GROUP, PA will fully comply with the terms and conditions stated herein.

THE OLIVER LAW GROUP, PA understands that this Consent Order is a public document.

Signature: /s/ Bert R. Oliver_____

Position Held: ___Owner_____

State of ___Florida_____

County of __Palm Beach_____

Signed or attested before me on this ____3rd__day of _September_, 2021

By _Bert R. Oliver as owner of Oliver Law Group, PA__.

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Notary Public

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