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3 **STATE OF OREGON**
4 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**
5 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

6 **BEFORE THE DIRECTOR OF THE DEPARTMENT**
7 **OF CONSUMER AND BUSINESS SERVICES**

8 In the Matter of:

DM-11-0119

9 **Debt Pro, LLC,**

**FINAL ORDER TO CEASE AND
DESIST AND FINAL ORDER
ASSESSING CIVIL PENALTY
ENTERED BY DEFAULT**

10 Respondent.

11 On November 23, 2011, the Director of the Department of Consumer and Business
12 Services for the State of Oregon (hereinafter “the Director”), acting pursuant to the authority of
13 the Oregon Revised Statutes (“ORS”) 697.602 to 697.842 hereby issued Administrative Order
14 No. DM-11-0119, ORDER TO CEASE AND DESIST, PROPOSED ORDER ASSESSING
15 CIVIL PENALTY, AND NOTICE OF OPPORTUNITY FOR AN ADMINISTRATIVE
16 HEARING (“the Proposed Order”) against Respondent Debt Pro, LLC (“Debt Pro”).

17 On November 23, 2011, Debt Pro was duly served with a true copy of the Proposed
18 Order by certified United States Mail, postage prepaid, at 3133 Coney Island Ave., Brooklyn,
19 New York 11235 (Item No. 7008 1830 0003 3147 2904). A true copy of the Proposed Order
20 was also sent by regular mail to Debt Pro at the address noted above.

21 Debt Pro has not made a written request for a contested case hearing in this matter and
22 time to do so has now expired.

23 NOW THEREFORE, after consideration of the file in this matter maintained by the
24 Oregon Department of Consumer and Business Services, including any materials that Debt Pro
25 may have submitted, the Director hereby issues the following Findings of Fact, Conclusions of
26 Law, and Final Orders.

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I.

FINDINGS OF FACT

The Director FINDS that:

1. Debt Pro, LLC (“Debt Pro”) is reportedly a limited liability company with its principal office located at 3133 Coney Island Ave., Brooklyn, New York 11235.

2. At all times relevant to this matter, Debt Pro held itself out as providing debt management services as defined by ORS 697.602(2)(d), by receiving money in return for 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.

3. At no time material to this Order was Debt Pro registered in Oregon with the Director as a debt management service provider.

4. At no time material to this Order did Debt Pro file a bond with the Director as required by Oregon law.

5. At all times relevant to this matter, an individual identified as “SS” was a resident of the State of Oregon.

6. In May of 2010, SS enrolled in Debt Pro’s debt management program. Debt Pro charged SS \$195 per month for at least three months to receive debt management services. To date, Debt Pro has not yet negotiated any settlements with SS’ creditors.

II.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

7. Debt Pro performed debt management services as defined by ORS 697.602(2)(d) when it received money in return for 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.



1 8. Debt Pro violated ORS 697.612 by engaging in the business of debt management
2 service provider without being registered with the Director pursuant to ORS chapter 697.

3 9. Debt Pro violated ORS 697.642(1) when it performed debt management services
4 without first filing a bond issued by one or more corporate sureties authorized to do business in
5 Oregon.

6 10. Debt Pro violated ORS 697.692(1)(d) when it charged an Oregon consumer a fee that
7 exceeded \$65 per month to receive debt management services.

8 III.

9 ORDERS

10 NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING FINAL ORDERS:

11 Final Order to Cease and Desist

12 11. Pursuant to the authority of ORS 697.825(1)(a), the Director hereby ORDERS Debt
13 Pro, and all entities owned or controlled by Debt Pro, their successors and assignees, to CEASE
14 AND DESIST from violating any provision of the Oregon statutes regulating debt management
15 service providers, ORS chapter 697, and any rule, order, or policy issued by the Director under
16 ORS chapter 697.

17 Final Order Assessing Civil Penalty

18 12. Pursuant to the authority of ORS 697.832, the Director may assess a CIVIL
19 PENALTY in an amount of not more than \$5,000 per violation against any person who violates
20 ORS 697.602 to 697.842, rules adopted pursuant to ORS 697.632, or any order issued under
21 ORS 697.825.

22 13. Pursuant to ORS 697.832, the Director hereby assesses Debt Pro a CIVIL PENALTY
23 in the amount of \$15,000 (fifteen thousand dollars) as follows:

24 A. A CIVIL PENALTY of \$5,000 (five thousand dollars) for violating the registration
25 provisions of ORS 697.612(2)(d) by engaging in the business of performing debt management
26 service without being registered with the Director pursuant to ORS chapter 697;

1 B. A CIVIL PENALTY of \$5,000 (five thousand dollars) for performing debt
2 management services without first filing a bond as required by ORS chapter 697; and

3 C. A CIVIL PENALTY of \$5,000 (five thousand dollars) for charging a monthly fee in
4 excess of \$65 in violation of ORS 697.692(1)(d).

5 14. The entry of this Order in no way limits further remedies which may be available to
6 the Director under Oregon law.

7 IT IS SO ORDERED.

8 Dated this 20th day of December, 2011 at Salem, Oregon, NUNC PRO
9 TUNC November 23, 2011.

PATRICK ALLEN, Director
Department of Consumer and Business Services

/s/ David Tatman
David C. Tatman, Administrator
Division of Finance and Corporate Securities

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