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

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

<p>In the Matter of:</p> <p><b>FIDELITY DEBT SOLUTIONS, LLC;</b></p> <p style="text-align: center;">Respondent.</p>	<p><b>Case No. DM-11-0113</b></p> <p><b>ORDER TO CEASE AND DESIST AND FINAL ORDER ASSESSING CIVIL PENALTY ENTERED BY DEFAULT</b></p>
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On December 1, 2011, the Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter “the Director”), acting pursuant to the authority of the Oregon Revised Statutes (“ORS”) 697.602 to 697.842, issued Administrative Order No. DM-11-0113, ORDER TO CEASE AND DESIST, PROPOSED ORDER ASSESSING CIVIL PENALTY AND NOTICE OF OPPORTUNITY FOR AN ADMINISTRATIVE HEARING (“the Proposed Order”) to Fidelity Debt Solutions, LLC (“FDS” or “Respondent”).

On December 2, 2011, FDS was duly served with true copies of the Proposed Order by certified United States Mail, postage prepaid, to the following address: Timothy Aaron, Registered Agent; Fidelity Debt Solutions, LLC; 510 Market Street, 2nd Floor; San Diego, California 92101 (Certified Mail Item No. 7008 1830 0003 3147 3935). A true copy of the Proposed Order was also sent by regular first class mail to the same address.

On December 7, 2011, the certified mailing was received at the Respondent’s Market Street address in San Diego.

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

Division of Finance and Corporate Securities  
 Labor and Industries Building  
 350 Winter Street NE, Suite 410  
 Salem, OR 97301-3881  
 Telephone: (503) 378-4387





1 NOW THEREFORE, after consideration of the file in this matter maintained by the  
2 Oregon Department of Consumer and Business Services, including any materials that  
3 FDS may have submitted, the Director hereby issues the following Findings of Fact,  
4 Conclusions of Law and Final Order.

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6 **I.**

7 **FINDINGS OF FACT**

8 The Director FINDS that:

9 1. Fidelity Debt Solutions, LLC is a California limited liability company with  
10 offices located at 510 Market Street, 2nd Floor, San Diego, California 92101. FDS  
11 maintains the website [www.fidelitydebt.net](http://www.fidelitydebt.net). FDS is not a registered business name filed  
12 with the Oregon Secretary of State.

13 2. At all times relevant to this matter, FDS engaged in debt management services as  
14 defined by ORS 697.602 and 697.612 by receiving money in return for obtaining or  
15 attempting to obtain, as an intermediary on a consumer's behalf, a concession from a  
16 creditor including, but not limited to, a reduction in the principal, interest, penalties or fees  
17 associated with a debt.

18 3. Respondent, by and through its employees, contacted Oregon residents offering  
19 to provide debt management services. Respondent, by and through its employees,  
20 contacted Oregon residents by telephone, electronic mail, and United States mail.  
21 Respondent, by and through its employees, directed Oregon residents to view its website.

22 4. Between January 2010 and present, Respondent entered into debt management  
23 service agreements with at least one Oregon resident.

24 5. FDS charged its Oregon client an initial fee in an amount greater than \$50.

25 6. At no time material to this Order was FDS registered in Oregon with the  
26 Director as a debt management service provider or licensed with the Director as a

1 mortgage broker, mortgage banker or mortgage loan originator.

2 7. At no time material to this Order did FDS file with the Director proof of a surety  
3 bond as required by Oregon law.

4  
5 **II.**

6 **CONCLUSIONS OF LAW**

7 The Director CONCLUDES that:

8 8. Respondent FDS performed debt management services as defined by ORS  
9 697.602(2)(d) when it received money in return for obtaining or attempting to obtain as an  
10 intermediary on a consumer's behalf a concession from a creditor including, but not  
11 limited to, a reduction in the principal, interest, penalties or fees associated with a debt.

12 9. Respondent FDS violated ORS 697.612(1)(a) by engaging in the business of debt  
13 management service provider without being registered with the Director pursuant to ORS  
14 chapter 697. Each time Respondent engaged in the business of debt management service  
15 provider in Oregon without being registered with the Director is a separate and distinct  
16 violation of ORS 697.612.

17 10. Respondent FDS violated ORS 697.642(1) when it performed debt management  
18 services without first filing a bond issued by one or more corporate sureties authorized to  
19 do business in Oregon. Each time Respondent FDS performed or attempted to perform a  
20 debt management service in Oregon without first filing a bond is a separate and distinct  
21 violation of ORS 697.642(1).

22 11. Respondent FDS violated ORS 697.692(1)(a) when it charged consumers an  
23 initial fee of more than \$50. Each time Respondent FDS charged a consumer an initial fee  
24 of more than \$50 is a separate and distinct violation of ORS 697.692(1)(a).

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**III.**

**ORDERS**

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

*Order to Cease and Desist*

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

*Final Order Assessing Civil Penalty*

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

14. Pursuant to ORS 697.832, the Director hereby assesses Respondent FDS a CIVIL PENALTY in the amount of \$15,000 (fifteen thousand dollars) as follows:

A. A CIVIL PENALTY of \$5,000 (five thousand dollars) for violation of the registration provisions of ORS 697.612(1)(a) by engaging in the business of performing debt management services without being registered with the Director pursuant to ORS chapter 697;

B. A CIVIL PENALTY of \$5,000 (five thousand dollars) for violation of ORS 697.642(1) for performing debt management services without first filing a bond as required by ORS chapter 697; and

C. A CIVIL PENALTY of \$5,000 (five thousand dollars) for violation of ORS 697.692(1)(a) by charging consumers an initial fee of more than \$50.

15. The entry of this Order in no way limits further remedies which may be available

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to the Director under Oregon law.

IT IS SO ORDERED.

Dated this 7th day of March, 2012 at Salem, Oregon

NUNC PRO TUNC December 2, 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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Division of Finance and Corporate Securities  
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