

1 **ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS**

2 In the Matter of the Collection Agency License of: No. 07F-BD049-BNK

3 **ACS STATE & LOCAL SOLUTIONS, INC.**
4 99 East Virginia Avenue, Suite 200
Phoenix, AZ 85004

CONSENT ORDER

5 Petitioner.

6
7 On January 25, 2007, the Arizona Department of Financial Institutions ("Department")
8 issued a Notice of Hearing alleging that Petitioner had violated Arizona law. Wishing to resolve this
9 matter in lieu of an administrative hearing, Petitioner does not contest the following Findings of Fact
10 and Conclusions of Law, and consents to the entry of the following Order.

11 **FINDINGS OF FACT**

12 1. Petitioner ACS State & Local Solutions, Inc. ("ACS") is a New York corporation
13 authorized to transact business in Arizona as a collection agency license # CA0904874 within the
14 meaning of A.R.S. §§ 32-1001, et seq. The nature of ACS' business is that of soliciting claims for
15 collection and collection of claims owed, due, or asserted to be owed or due within the meaning of
16 A.R.S. § 32-1001(A)(2)(a).

17 2. ACS is authorized to transact business in Arizona as a collection agency within the
18 meaning of A.R.S. §§ 32-1001, et seq.

19 3. ACS is not exempt from licensure as a collection agency within the meaning of
20 A.R.S. § 32-1004(A).

21 4. ACS has failed to respond to consumer complaints on a timely basis and as directed
22 by the Superintendent.

23 5. Since May of 2005, the Department has received a total of ten (10) complaints against
24 ACS. The Department has mailed these complaints to ACS with written instructions to provide a
25 response to the Superintendent within ten (10) days.

26 ...

1 collection agencies pursuant to A.R.S. §§ 6-123 and 6-131.

2 **ORDER**

3 1. ACS shall immediately stop the violations set forth in the Findings of Fact and
4 Conclusions of Law. ACS:

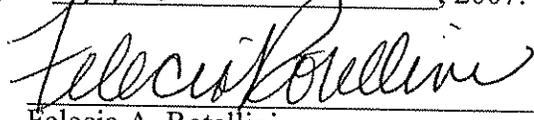
- 5 a. Shall produce books and records for inspection and examination when
6 requested by the Superintendent or the Superintendent's examiners and shall
7 timely respond to all future consumer complaints as directed by the
8 Superintendent and the governing statutes and rules; and
9 b. Shall make records available for examination, investigation, or audit in
10 Arizona within three (3) working days after the Superintendent demands the
11 records.

12 2. ACS shall immediately pay to the Department a civil money penalty in the amount of
13 ten thousand dollars (\$10,000.00).

14 3. The provisions of this Order shall be binding upon Petitioner, its employees, agents,
15 and other persons participating in the conduct of the affairs of Petitioner.

16 4. This Order shall become effective upon service, and shall remain effective and
17 enforceable until such time as, and except to the extent that, it shall be stayed, modified, terminated,
18 or set aside.

19 SO ORDERED this 14 day of March, 2007.

20 
21 Felecia A. Rotellini
22 Superintendent of Financial Institutions

23 **CONSENT TO ENTRY OF ORDER**

24 1. Petitioner acknowledges that it has been served with a copy of the foregoing Findings
25 of Fact, Conclusions of Law, and Order in the above-referenced matter, has read the same, is aware
26 of its right to an administrative hearing in this matter, and has waived the same.

1 2. Petitioner admits the jurisdiction of the Superintendent and consents to the entry of
2 the foregoing Findings of Fact, Conclusions of Law, and Order.

3 3. Petitioner states that no promise of any kind or nature has been made to induce it to
4 consent to the entry of this Order, and that it has done so voluntarily.

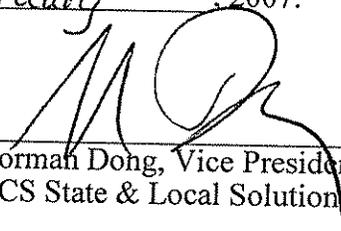
5 4. Petitioner agrees to cease from engaging in the violative conduct set forth above in
6 the Findings of Fact and Conclusions of Law.

7 5. Petitioner acknowledges that the acceptance of this Agreement by the Superintendent
8 is solely to settle this matter and does not preclude this Department, any other agency or officer of
9 this state or subdivision thereof from instituting other proceedings as may be appropriate now or in
10 the future.

11 6. Norman Dong, on behalf of ACS, represents that he is the Vice President, and that, as
12 such, has been authorized by ACS to consent to the entry of this Order on its behalf.

13 7. Petitioner waives all rights to seek judicial review or otherwise to challenge or contest
14 the validity of this Cease and Desist Order.

15 DATED this 27 day of February, 2007.

16
17 By: 

18 Norman Dong, Vice President
19 ACS State & Local Solutions, Inc.

20
21 ORIGINAL of the foregoing filed this 7th
22 day of March, 2007, in the office of:

23 Felecia A. Rotellini
24 Superintendent of Financial Institutions
25 Arizona Department of Financial Institutions
26 ATTN: June Beckwith
27 2910 N. 44th Street, Suite 310
28 Phoenix, AZ 85018

1 COPY mailed same date to:

2 Lewis D. Kowal, Administrative Law Judge
3 Office of the Administrative Hearings
4 1400 West Washington, Suite 101
5 Phoenix, AZ 85007

6 Craig A. Raby, Assistant Attorney General
7 Office of the Attorney General
8 1275 West Washington
9 Phoenix, AZ 85007

10 Richard Fergus, Division Manager
11 Richard Traveler, Senior Examiner
12 Robert Charlton, Assistant Superintendent
13 Arizona Department of Financial Institutions
14 2910 N. 44th Street, Suite 310
15 Phoenix, AZ 85018

16 AND COPY MAILED SAME DATE by
17 Certified Mail, Return Receipt Requested, to:

18 Norman Dong, Vice President
19 ACS State & Local Solutions, Inc.
20 1800 M Street NW, 8th Floor
21 Washington, D.C. 20036

22 Norman Dong, Vice President
23 ACS State & Local Solutions, Inc.
24 101 N. First Avenue, Suite 1750
25 Phoenix, AZ 85003

26 James G. Speer, Esq.
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201 E. Washington, Suite 800
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Attorneys for Petitioners



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