
IN THE MATTER OF:

**AARGON AGENCY, INC.
NMLS # 1615010**

(“Aargon”)

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CONSENT ORDER

WHEREAS, the Banking Commissioner (“Commissioner”) is charged with the administration of Part XII of Chapter 669, Sections 36a-800 to 36a-814, inclusive, of the Connecticut General Statutes, “Consumer Collection Agencies”, and the regulations promulgated thereunder, Sections 36a-809-6 to 36a-809-17, inclusive, of the Regulations of Connecticut State Agencies;

WHEREAS, Aargon is a Nevada corporation with an office located at 8668 Spring Mountain Road, Las Vegas, Nevada;

WHEREAS, Aargon has never been licensed to act as a consumer collection agency in Connecticut;

WHEREAS, following the receipt of a Connecticut consumer complaint, the Commissioner, through the Consumer Credit Division (“Division”), has investigated the activities of Aargon pursuant to Section 36a-17 of the Connecticut General Statutes to determine if it had violated, was violating or was about to violate the provisions of the Connecticut General Statutes within the Commissioner’s jurisdiction;

WHEREAS, pursuant to a records request by the Division, Aargon provided the Division with a spreadsheet evidencing that a total of 39 Connecticut consumers were sent collection letters by Aargon’s

third-party mailing vendor, which vendor is not licensed to act as a consumer collection agency in Connecticut;

WHEREAS, as a result of such investigation, the Commissioner alleges that Aargon acted as a consumer collection agency in Connecticut, directly or indirectly, between October 2007 and June 2018, without a consumer collection agency license, in violation of Section 36a-801(a) of the Connecticut General Statutes;

WHEREAS, the Commissioner believes that such allegation would support the initiation of enforcement proceedings against Aargon, including, without limitation, proceedings to issue a cease and desist order pursuant to Sections 36a-804(b) and 36a-52(a) of the Connecticut General Statutes, and an order imposing a civil penalty of up to One Hundred Thousand Dollars (\$100,000) per violation pursuant to Sections 36a-804(b) and 36a-50(a) of the Connecticut General Statutes;

WHEREAS, initiation of such enforcement proceedings would constitute a “contested case” within the meaning of Section 4-166(4) of the Connecticut General Statutes;

WHEREAS, Section 4-177(c) of the Connecticut General Statutes and Section 36a-1-55(a) of the Regulations of Connecticut State Agencies provide that a contested case may be resolved by consent order, unless precluded by law;

WHEREAS, both the Commissioner and Aargon acknowledge the possible consequences of formal administrative proceedings, and Aargon voluntarily agrees to consent to the entry of the sanctions imposed below solely for the purpose of obviating the need for formal administrative proceedings concerning the allegation set forth herein;

WHEREAS, the Commissioner and Aargon now desire to resolve the matters set forth herein;

WHEREAS, Aargon herein represents to the Commissioner that it is not currently engaged in consumer collection activities in this state, it has no intent to further engage in consumer collection activities in this state, the activities as alleged by the Division occurred inadvertently through the conduct of a third party, and that no consumer collection activity will occur in this state in the future without

Aargon first obtaining the appropriate consumer collection agency licensure pursuant to Sections 36a-800 to 36a-814, inclusive, of the Connecticut General Statutes;

WHEREAS, Aargon represents that it has closed all Connecticut accounts and has instituted policies and procedures to prevent any future Connecticut collection activities, including, but not limited to a system that automatically closes any accounts that present with Connecticut addresses;

WHEREAS, Aargon represents that this was an isolated incident and that no letters have been sent to Connecticut addresses since Aargon was first advised of the issue;

WHEREAS, Aargon represents that it has issued full refunds to the three Connecticut consumers that made payments in connection with the inadvertent contact and that Aargon now has an automatic refund policy in place in the event that payments are received from Connecticut debtors in the future. Aargon represents that it has not received any additional payments from any Connecticut consumers since June 2018;

WHEREAS, Aargon specifically assures the Commissioner that the violation alleged herein shall not occur in the future;

WHEREAS, Aargon acknowledges that this Consent Order is a public record and is a reportable event for purposes of the regulatory disclosure questions on the Nationwide Multistate Licensing System and Registry (“NMLS”), as applicable;

AND WHEREAS, Aargon, through its execution of this Consent Order, voluntarily agrees to waive its procedural rights, including a right to a notice and an opportunity for a hearing as it pertains to the allegation set forth herein, and voluntarily waives its right to seek judicial review or otherwise challenge or contest the validity of this Consent Order.

CONSENT TO ENTRY OF SANCTIONS

WHEREAS, Aargon, through its execution of this Consent Order, consents to the Commissioner’s entry of a Consent Order imposing the following sanctions:

1. No later than the date this Consent Order is executed by Aargon, it shall remit to the Department of Banking by wire transfer, cashier’s check, certified check or money order made

payable to “Treasurer, State of Connecticut”, the sum of One Thousand Dollars (\$1,000) as a civil penalty; and

2. Aargon shall cease and desist from acting as a consumer collection agency in this state without a license, in violation of Section 36a-801(a) of the Connecticut General Statutes.

CONSENT ORDER

NOW THEREFORE, the Commissioner enters the following:

1. The Sanctions set forth above be and are hereby entered;
2. Upon issuance of this Consent Order by the Commissioner, this matter will be resolved and the Commissioner will not take any future enforcement action against Aargon based upon the allegation set forth herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against Aargon based upon a violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms herein is not being observed or if any representation made by Aargon and reflected herein is subsequently discovered to be untrue;
3. Aargon shall not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any allegation referenced in this Consent Order or create the impression that this Consent Order is without factual basis;
4. Subject to the foregoing, and so long as this Consent Order is promptly disclosed by Aargon and its control persons on NMLS, if applicable, nothing in the issuance of this Consent Order shall adversely affect the ability of Aargon to apply for or obtain an initial license or renewal license under Part XII of Chapter 669, Sections 36a-800 to 36a-814, inclusive, of the Connecticut General Statutes, provided that all applicable legal requirements for such licenses are satisfied and the terms of this Consent Order are followed;
5. This Consent Order shall be binding on Aargon and its successors and assigns; and
6. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut
this 7th day of April 2020.

/s/

Jorge L. Perez
Banking Commissioner

I, Duane Christy, state on behalf of Aargon Agency, Inc., that I have read the foregoing Consent Order; that I know and fully understand its contents; that I am authorized to execute this Consent Order on behalf of Aargon Agency, Inc.; that Aargon Agency, Inc. agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that Aargon Agency, Inc. voluntarily agrees to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

By: /s/
Name: Duane Christy
Title: CEO; owner
Aargon Agency, Inc.

State of: Nevada

County of: Clark

On this the 10th day of March, 2020, before me, Linda Callanan, the undersigned officer, personally appeared Duane Christy who acknowledged himself/herself to be the CEO; owner of Aargon Agency, Inc., a corporation, and that he/she as such CEO; owner, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as Duane Christy.

In witness whereof I hereunto set my hand.

/s/
Notary Public Linda Joyce Callanan
Date Commission Expires: October 1, 2022