
 *
IN THE MATTER OF: *
 *
HOVG, LLC *
d/b/a BAY AREA CREDIT *
SERVICE, LLC *
NMLS # 945496 *
 *
(“Respondent”) *
 *
 *
 *
 *
 *
 *
 *

ORDER TO MAKE RESTITUTION

**NOTICE OF INTENT TO REVOKE
 AND REFUSE TO RENEW
 CONSUMER COLLECTION AGENCY
 LICENSE**

**NOTICE OF INTENT TO ISSUE
 ORDER TO CEASE AND DESIST**

**NOTICE OF INTENT TO IMPOSE
 CIVIL PENALTY**

AND

NOTICE OF RIGHT TO HEARING

I. LEGAL AUTHORITY AND JURISDICTION

1. 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 (“Regulations”).

2. Pursuant to the authority granted by Section 36a-17 of the Connecticut General Statutes, the Commissioner, through the Consumer Credit Division (“Division”) of the Department of Banking, has investigated and examined the activities of Respondent to determine if it has violated, is violating or is about to violate the provisions of the Connecticut General Statutes or Regulations within the jurisdiction of the Commissioner (“Examination”).

3. As a result of the Examination, the Commissioner has reason to believe that Respondent has violated Sections 36a-801(a), 36a-805(a)(9), 36a-805(a)(16), 36a-811(a) and 36a-811(b) of the

Connecticut General Statutes, Sections 36a-809-9(d) and 36a-809-12(1) of the Regulations, and the terms of a Consent Order dated December 30, 2015 and entered into with the Commissioner (“2015 Consent Order”).

4. As a result of the Examination, the violations alleged by the Commissioner form the basis to issue an order to make restitution against Respondent pursuant to Sections 36a-804(b) and 36a-50(c) of the Connecticut General Statutes.

5. As a result of the Examination, the violations alleged by the Commissioner constitute sufficient grounds to revoke and refuse to renew Respondent’s consumer collection agency license in Connecticut pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

6. As a result of the Examination, the Commissioner has reason to believe that a basis exists to issue an order to cease and desist against Respondent pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended by Public Act 21-130.

7. As a result of the Examination, the Commissioner has reason to believe that a basis exists to impose a civil penalty against Respondent pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended by Public Act 21-130.

II. MATTERS ASSERTED

8. Respondent is a Nevada limited liability company with its main office at 4145 Shackelford Road, Suite 330B, Norcross, Georgia (“Main Office”), and a branch office at Third Floor Sharada Arcade, Pune Satara Road, Pune, India, NMLS # 945496 (“Branch Office”).

9. Respondent held a license to act as a consumer collection agency in this state from the Branch Office from on or about January 1, 2007 through January 1, 2019.

10. On December 7, 2020, Respondent requested renewal (“Renewal Application”) of its consumer collection agency license for its main office. The request is currently pending.

11. Respondent was previously examined by the Division in or about 2012 to 2013 (“2013 Exam”).

12. Following the course of that examination, on February 11, 2014, the Commissioner issued an Order to Make Restitution, Notice of Intent to Revoke and Refuse to Renew Consumer Collection Agency Licenses, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing (“2014 Notice”). The 2014 Notice is hereby fully incorporated by reference herein.

13. The 2014 Notice alleged that Respondent’s conduct, as more fully described therein, constituted violations of Sections 36a-801(c) and 36a-805(a)(9) of the Connecticut General Statutes, in effect prior to October 1, 2013, and Sections 36a-809-12(1) and 36a-809-7(b) of the Regulations.

14. In resolution of the 2014 Notice, Respondent entered into the 2015 Consent Order, wherein Respondent agreed that it would immediately cease and desist from acting as a consumer collection agency from any unlicensed location, in violation of Section 36a-801(c) of the Connecticut General Statutes, in effect at such time, adding interest to Connecticut consumer debtors’ balances when such debtors were not contractually liable for such interest, in violation of Section 36a-809-12(1) of the Regulations, failing to remit funds to its clients within sixty (60) days from the last day of the month in which such funds were collected, in violation of Section 36a-805(a)(9) of the Connecticut General Statutes, in effect at such time, and failing to have sufficient funds in its client trust accounts to cover outstanding remittances to clients, in violation of Section 36a-809-7(b) of the Regulations.

15. Also pursuant to the terms of the 2015 Consent Order, Respondent was required to submit, for a period of two years, quarterly certifications prepared by an independent certified public accountant certifying that at all relevant times Respondent’s trust account into which collections from Connecticut consumer debtors have been deposited have had adequate funds to cover all checks written on such accounts.

16. On February 23, 2018, the Division conducted an examination of Respondent, which concluded on March 7, 2019 (“2019 Exam”).

17. The 2019 Exam covered compliance with state and federal debt collection laws as well as compliance with the 2015 Consent Order. In addition, the examination included the review of the corrective actions Respondent represented to the Division in response to the 2013 Exam. The review period covered collection activity from January 1, 2017 through January 31, 2018.

18. On or about November 6, 2020, Respondent was provided with the 2019 Exam report of examination (“2019 ROE”), which included allegations constituting a basis to suspend, revoke or refuse to renew Respondent’s consumer collection agency license in Connecticut.

19. The 2019 Exam found that, from January 1, 2017 to January 31, 2018, Respondent failed to remit to its clients all money collected not in dispute within sixty (60) days from the last day of the month when said money was collected.

20. The 2019 Exam found that Respondent failed to escheat to the state all unclaimed funds after the period of three years had elapsed without the funds being claimed, in violation of the state escheatment laws.

21. The 2019 Exam found that from January 1, 2017 to at least January 31, 2018, Respondent acted as a consumer collection agency from an unlicensed location by receiving Connecticut debtor payments at 4868 Georgia Highway 85 STE 300, Forest Park, Georgia, which is not a licensed branch office location with the Commissioner.

22. The 2019 Exam found that from January 1, 2017 to January 31, 2018, Respondent failed to maintain accounting records in accordance with generally accepted accounting principles, failed to identify amounts and dates of payments collected or received from consumer debtors and remittances made to creditors, failed to identify all trust accounts utilized by Respondent and failed to preserve all records related to its collection activities. The 2019 Exam also found that 60 checks, totaling \$13,974.67, were issued to Connecticut residents and remained outstanding.

23. The 2019 Exam found that, based on the client and business account documents provided, Respondent may have been commingling funds with that of Respondent's operating funds. Respondent admitted in its response to the Division that it has been commingling and continues to commingle funds.

24. The 2019 Exam found that from at least January 1, 2017 through at least January 31, 2018, Respondent communicated with Connecticut debtors during inconvenient time periods prior to 8:00 a.m. local time at the debtor's location and at times as early as 5:08 a.m. Eastern Standard Time. Further, Respondent has no internal mechanisms in place to prevent calls at inconvenient times and solely relies on the individual employees to make that judgment.

25. The 2019 Exam found that Respondent failed to establish, enforce and maintain policies and procedures reasonably designed to achieve compliance with applicable consumer collections laws and regulations, failed to adequately provide to the Division accurate and sufficient written policies and procedures and/or produced to the Division policies that were either inconsistent and/or wholly different to the actual policies and procedures being put into practice. The 2019 Exam found that Respondent did not have a formal policy or procedure for escheats, evidenced by the number of outstanding checks, the failure to track reissued checks and failure to comply with state escheatment laws.

26. The 2019 Exam reviewed a selection of Connecticut consumer refund checks and payment histories and found at least four accounts wherein Respondent was collecting an amount in excess of the amount placed with Respondent and not expressly authorized by the agreement creating the debt. In one case, Respondent collected monthly payments of \$25 from August 8, 2013 to January 8, 2014, after the account was already paid in full. Respondent issued refund checks to Connecticut consumers, dated May 16, 2017, some of which remain outstanding. In addition, Respondent collected on other accounts after payment in full had been made, which in one case was \$2,179.74, more than seven times the original amount placed with Respondent. Further, the 2019 Exam found that only in some cases were refunds issued to Connecticut consumers and that Respondent continued to post payments to consumer accounts

after the consumer had paid the amount in full. Respondent did not address this item in its examination response.

27. In addition, the Division's subsequent investigation into the 2019 financial statements Respondent uploaded to the Nationwide Multistate Licensing System and Registry ("NMLS") on May 26, 2020, indicates that Respondent failed to meet the statutory minimum tangible net worth requirement of Fifty Thousand Dollars (\$50,000) required by Section 36a-801(b) of the Connecticut General Statutes, in effect prior to October 1, 2021. On September 29, 2020, the Division posted a deficiency to Respondent's NMLS account regarding the failure to meet the tangible net worth requirement, to which Respondent has not properly responded.

28. On November 6, 2020, the Division sent a letter by certified mail, return receipt requested, to Respondent, pursuant to Section 4-182(c) of the Connecticut General Statutes ("Compliance Letter"), giving Respondent an opportunity to show compliance with all lawful requirements for retention of its consumer collection agency license and respond to violations that were cited in the 2019 ROE. On December 11, 2020, the Commissioner received an incomplete response to the Compliance Letter.

**III. STATUTORY AND REGULATORY BASES FOR ORDER
TO MAKE RESTITUTION, REVOCATION AND REFUSAL TO RENEW CONSUMER
COLLECTION AGENCY LICENSE, ORDER TO CEASE AND DESIST
AND IMPOSITION OF CIVIL PENALTY**

1. Respondent's acting as a consumer collection agency from an unlicensed location by receiving Connecticut debtor payments at an unlicensed office location in Georgia, as more fully described in paragraph 21 of the Matters Asserted, constitutes a violation of Section 36a-801(a) of the Connecticut General Statutes. Such violation constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms the basis to issue an order to cease and desist pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil

penalty pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-50(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

2. Respondent's failure to maintain the minimum tangible net worth of fifty thousand dollars (\$50,000), as more fully described in paragraph 27 of the Matters Asserted, constitutes sufficient grounds for the Commissioner to deny an application for such license under Section 36a-801(b) of the Connecticut General Statutes and constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

3. Respondent's failure to account for and remit to its clients all money collected not in dispute within sixty (60) days from the last day of the month when said money was collected, as more fully described in paragraphs 19 and 20 of the Matters Asserted, constitutes a violation of Section 36a-805(a)(9) of the Connecticut General Statutes. Such violation constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms the basis to issue an order to make restitution pursuant to Sections 36a-804(b) and 36a-50(c) of the Connecticut General Statutes, issue an order to cease and desist pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil penalty pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-50(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

4. Respondent's failure to establish, enforce and maintain policies and procedures for supervising employees, agents and office operations that are reasonably designed to achieve compliance with applicable consumer collection laws and regulations, as more fully described in paragraphs 25 and 26 of the Matters Asserted, constitutes a violation of Section 36a-805(a)(16) of the Connecticut General Statutes. Such violation constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms the basis to issue an order to cease and desist pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil penalty pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-50(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

5. Respondent's failure to avoid the commingling of funds of consumer debtors with the funds of Respondent and using said consumer debtor funds in the conduct of Respondent's business, as more fully described in paragraph 23 of the Matters Asserted, constitutes a violation of Section 36a-811(b) of the Connecticut General Statutes. Such violation constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms the basis to issue an order to cease and desist pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil penalty pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-50(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

6. Respondent's failure to maintain its consumer debtor and creditor records so as to clearly identify the amounts and dates of all payments collected or received from consumer debtors and all remittances made to creditors, failure to identify all trust accounts utilized by Respondent, and failure to retain consumer debtor and creditor records for a period of not less than two years of the date of final entry thereon, as more fully described in paragraph 22 of the Matters Asserted, constitutes a violation of Section 36a-811(a) of the Connecticut General Statutes. Such violation constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms the basis to issue an order to make restitution pursuant to Sections 36a-804(b) and 36a-50(c) of the Connecticut General Statutes, issue an order to cease and desist pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil penalty pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-50(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

7. Respondent's communications with Connecticut debtors during inconvenient times before 8:00 a.m. local time at the debtor's location without the prior consent of the debtor or the express permission of a court, as more fully described in paragraph 24 of the Matters Asserted, constitutes a violation of Section 36a-809-9(d) of the Regulations. Such violation constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms the basis to issue an order to cease and desist pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil penalty pursuant to Section 36a-804(b) of the Connecticut

General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-50(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

8. Respondent's collection of amounts in excess of the amount placed with Respondent and not expressly authorized by the agreement creating the debt or permitted by law, as more fully described in paragraph 26 of the Matters Asserted, constitute a violation of Section 36a-809-12(1) of the Regulations. Such violation constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms the basis to issue an order to make restitution pursuant to Sections 36a-804(b) and 36a-50(c) of the Connecticut General Statutes, issue an order to cease and desist pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil penalty pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-50(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

9. Respondent's failure to account for and remit to its clients all money collected not in dispute within sixty (60) days from the last day of the month when said money was collected, receipt of Connecticut debtor payments at an unlicensed location, failure to maintain accounting records in accordance with generally accepted accounting principles, failure to identify amounts and dates of payments collected or received from consumer debtors and remittances made to creditors, failure to identify all trust accounts utilized by Respondent and failure to preserve all records related to its collection activities and Respondent's collection of amounts in excess of the amount placed with Respondent and not expressly authorized by the agreement creating the debt or permitted by law, as more

fully described in paragraphs 14, 15, 19, 20, 21, 22, 25 and 26 of the Matters Asserted, constitute violations of the 2015 Consent Order issued under the statutes within the jurisdiction of the Commissioner. Such violations constitute sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and form the basis to issue an order to cease and desist pursuant to Section 36a-52(a) of the Connecticut General Statutes, as amended, and impose a civil penalty pursuant to Section 36a-50(a) of the Connecticut General Statutes, as amended. Section 36a-52(a) of the Connecticut General Statutes, as amended, authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

10. Respondent's conduct, as more fully described in paragraphs 8 through 28, inclusive, of the Matters Asserted, renders the Commissioner unable to determine that the financial responsibility, character, reputation, integrity and general fitness of Respondent, the control persons of Respondent, the qualified individual and any branch manager, are such as to warrant belief that the business will be operated soundly and efficiently, in the public interest and consistent with the purposes of Sections 36a-800 to 36a-814, inclusive, and that Respondent meets the applicable tangible net worth requirement, as required pursuant to Section 36a-801(c)(2) of the Connecticut General Statutes, as amended by Public Act 21-138. Such failures constitute sufficient grounds for the Commissioner to deny an application for such license and, in turn, constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

**IV. ORDER TO MAKE RESTITUTION, NOTICE OF INTENT TO REVOKE
AND REFUSE TO RENEW CONSUMER COLLECTION AGENCY LICENSE,
NOTICE OF INTENT TO ISSUE ORDER TO CEASE AND DESIST,
NOTICE OF INTENT TO IMPOSE CIVIL PENALTY AND NOTICE OF RIGHT TO HEARING**

WHEREAS, the Commissioner has reason to believe that Respondent has engaged in acts or

conduct which constitutes sufficient grounds for the Commissioner to revoke and refuse to renew Respondent's license to act as a consumer collection agency in this state pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, and forms a basis to issue an order to cease and desist against Respondent pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-52(a) of the Connecticut General Statutes, as amended, issue an order to make restitution pursuant to Sections 36a-804(b) and 36a-50(c) of the Connecticut General Statutes, and impose a civil penalty upon Respondent pursuant to Section 36a-804(b) of the Connecticut General Statutes and Section 36a-50(a) of the Connecticut General Statutes, as amended.

THE COMMISSIONER THEREFORE ORDERS, pursuant to Section 36a-50(c) of the Connecticut General Statutes, that HOVG, LLC d/b/a Bay Area Credit Service, LLC, **MAKE RESTITUTION** of any sums obtained as a result of HOVG, LLC d/b/a Bay Area Credit Service, LLC violating Section 36a-809-12 of the Regulations, plus interest at the legal rate set forth in Section 37-1 of the Connecticut General Statutes. Specifically, the Commissioner **ORDERS** that: Not later than thirty (30) days from the date this Order to Make Restitution becomes permanent, HOVG, LLC d/b/a Bay Area Credit Service, LLC shall:

1. Promptly refund all amounts, charges and fees received from Connecticut consumer debtors that could not be legally collected plus interest at the legal rate set forth in Section 37-1 of the Connecticut General Statutes for the period of time including January 1, 2017 through the date of this Order to Make Restitution and provide to Carmine Costa, Director, Consumer Credit Division, Department of Banking, 260 Constitution Plaza, Hartford, Connecticut 06103-1800, or carmine.costa@ct.gov, evidence of such refunds;
2. Promptly waive any charges and fees added to Connecticut consumer debtors' accounts that could not be legally added to such claim, which have not been paid by or collected from such consumer debtors for the period of time including January 1, 2017 through the date of this Order to Make Restitution and provide to Carmine Costa, Director, Consumer Credit Division, Department of Banking, 260 Constitution Plaza, Hartford, Connecticut 06103-1800, or carmine.costa@ct.gov, evidence of such adjustments; and
3. After making the refunds and adjustments described in paragraphs 1 and 2 of this section, promptly remit the balance of all funds, as appropriate, to creditors with respect to those accounts and include any penalties, interest and related charges that may have been imposed by HOVG, LLC d/b/a Bay Area Credit Service, LLC. In the event that said payments are not possible, escheat those funds to the state as appropriate and provide to Carmine Costa, Director, Consumer Credit Division, Department of Banking, 260 Constitution Plaza, Hartford,

Connecticut 06103-1800, or carmine.costa@ct.gov, evidence of such remittances or escheatment.

NOW THEREFORE, notice is hereby given to Respondent that the Commissioner intends to **REVOKE** and **REFUSE TO RENEW** Respondent's license to act as a consumer collection agency in this state from 4145 Shackelford Road, Suite 330B, Norcross, Georgia, issue an order requiring Respondent to **CEASE AND DESIST** from violating Sections 36a-801(a), 36a-805(a)(9) and 36a-805(a)(16) of the Connecticut General Statutes, subsections (a) and (b) of Section 36a-811 of the Connecticut General Statutes, Sections 36a-809-9(d) and 36a-809-12(1) of the Regulations, and from violating an order issued by the Commissioner, and impose a **CIVIL PENALTY** upon Respondent as set forth herein, subject to Respondent's right to a hearing on the allegations set forth above.

A hearing will be granted to Respondent if a written request for a hearing is received by the Department of Banking, Consumer Credit Division, 260 Constitution Plaza, Hartford, Connecticut 06103-1800 or submitted by e-mail to DOB.hearingsupport@ct.gov within fourteen (14) days following Respondent's receipt of this Order to Make Restitution, Notice of Intent to Revoke and Refuse to Renew Consumer Collection Agency License, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing as set forth in subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, Sections 36a-52(a) and 36a-50(a) of the Connecticut General Statutes, as amended, and Section 36a-50(c) of the Connecticut General Statutes. This Order to Make Restitution, Notice of Intent to Revoke and Refuse to Renew Consumer Collection Agency License, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing shall be deemed received on the earlier of the date of actual receipt, or seven (7) days after mailing or sending. To request a hearing, complete and return the enclosed Appearance and Request for Hearing Form to one of the above-referenced addresses. If Respondent will not be represented by an attorney at the hearing, please complete the Appearance and Request for Hearing Form as "pro se". Respondent may request that the hearing be held in person at the Department's offices or remotely via videoconference using Microsoft Teams. Once a written request for a hearing is received,

the Commissioner may issue a notification of hearing and designation of hearing officer that acknowledges receipt of a request for a hearing, designates a hearing officer and sets the date of the hearing in accordance with Section 4-177 of the Connecticut General Statutes and Section 36a-1-21 of the Regulations of Connecticut State Agencies. If a hearing is requested, the hearing will be held on January 29, 2022, at 10 a.m.

If a hearing is requested, it will be held in accordance with the provisions of Chapter 54 of the Connecticut General Statutes, unless Respondent fails to appear at the requested hearing. At such hearing, Respondent will have the right to appear and present evidence, rebuttal evidence and argument on all issues of fact and law to be considered by the Commissioner. Any remote hearing will be held in accordance with Section 149 of June Special Session Public Act 21-2, and the Remote Hearing Guidelines available on the Department's website at <https://portal.ct.gov/dob>.

If Respondent does not request a hearing within the time prescribed or fails to appear at the hearing, the Order to Make Restitution shall remain in effect and become permanent against Respondent, and the Commissioner will issue an order revoking and refusing to renew Respondent's license to act as a consumer collection agency in this state from 4145 Shackelford Road, Suite 330B, Norcross, Georgia, issue an order that Respondent cease and desist from violating Sections 36a-801(a), 36a-805(a)(9) and 36a-805(a)(16) of the Connecticut General Statutes, subsections (a) and (b) of Section 36a-811 of the Connecticut General Statutes, and Sections 36a-809-9(d) and 36a-809-12(1) of the Regulations, and from violating an order issued by the Commissioner, and may order a civil penalty not to exceed One Hundred Thousand Dollars (\$100,000) per violation be imposed upon Respondent.

So ordered at Hartford, Connecticut,
this 22 day of November 2021.

/s/

Jorge L. Perez
Banking Commissioner

CERTIFICATION

I hereby certify that on this 22nd day of November 2021, I transmitted the foregoing Order to Make Restitution, Notice of Intent to Revoke and Refuse to Renew Consumer Collection Agency License, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing to HOVG, LLC d/b/a Bay Area Credit Service, LLC, Attention: Christina Calhoun, Licensing Manager, who is designated as the primary contact in the contact employee fields on the Nationwide Multistate Licensing System and Registry, at the electronic mail address provided therein.

/s/

Emily B. Bochman