
IN THE MATTER OF:

**CREDIT PROTECTION
ASSOCIATION, L. P.
d/b/a CREDIT PROTECTION
ASSOCIATION, LIMITED
PARTNERSHIP
NMLS # 933191**

(“Respondent”)

NOTICE OF AUTOMATIC SUSPENSION

**AMENDED AND RESTATED
NOTICE OF INTENT TO REVOKE
CONSUMER COLLECTION
AGENCY LICENSES**

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

**AMENDED AND RESTATED
NOTICE OF INTENT TO IMPOSE
CIVIL PENALTY**

AND

NOTICE OF RIGHT TO HEARING

I. PRELIMINARY STATEMENT

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-53a, 36a-801(e), 36a-801(i), 36a-805(a)(9), 36a-805(a)(12) and 36a-811 of the Connecticut General Statutes.

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

5. 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 Sections 36a-804(b) and 36a-52(a) of the Connecticut General Statutes.

6. 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 Sections 36a-804(b) and 36a-50(a) of the Connecticut General Statutes.

7. As a result of the Examination, on November 14, 2019, the Commissioner, acting pursuant to Sections 36a-804(a), 36a-804(b), 36a-50(a), 36a-51(a), 36a-51(b) and 36a-52(a) of the Connecticut General Statutes, issued a Notice of Intent to Revoke 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 (collectively "Notice") against Respondent, which Notice is hereby amended and superseded.

8. On November 25, 2019, Respondent requested a hearing on the allegations set forth in the Notice. The hearing is scheduled for December 10, 2020.

9. As a result of further investigation conducted by the Division, the Commissioner finds that facts exist that warrant, pursuant to Section 36a-1-22 of the Regulations of Connecticut State Agencies, the issuance of this Notice of Automatic Suspension, Amended and Restated Notice of Intent to Revoke Consumer Collection Agency Licenses, Amended and Restated Notice of Intent to Issue Order to Cease and Desist, Amended and Restated Notice of Intent to Impose Civil Penalty and Notice of Right to

Hearing. Section 36a-1-22 of the Regulations provides, in pertinent part, that:

The commissioner may amend the notice of hearing at any stage of the contested case prior to the close of evidence. The presiding officer shall provide parties . . . with notice of the amendment and shall provide them with sufficient time to prepare their case in light of the amendment. A party that has requested a hearing on the original notice need not request a hearing on the amended notice and any such hearing shall proceed on the amended notice as if it were the original notice.

II. MATTERS ASSERTED

10. Respondent is a Texas limited partnership with a main office at 2500 Dallas Parkway, Suite 500, Plano, Texas, and a branch office at 12005 Ford Road, Suite 800, Dallas, Texas (Branch ID # 1402631). Since May 1, 1999, Respondent has been licensed to act as a consumer collection agency in Connecticut.

11. At all times relevant hereto, Nathan Levine, NMLS # 958986 (“Levine”), has been the Chief Executive Officer of Respondent.

Recent Enforcement Actions

12. On May 9, 2016, the Federal Trade Commission (“FTC”) filed a complaint against Respondent in the United States District Court, Northern District of Texas, Dallas Division (Case No. 3:16-CV-1255) (“Complaint”), alleging, *inter alia*, that Respondent failed to establish and implement reasonable written policies and procedures regarding the accuracy and integrity of consumer information which it reported to consumer reporting agencies and failed to review its existing policies and procedures periodically and update them as necessary to ensure their effectiveness. The Complaint also alleged that Respondent failed to implement reasonable written policies and procedures concerning investigations of direct disputes from consumers under the Fair Credit Reporting Act and failed to complete its investigation of such disputes and report the results of investigations to consumers in a timely manner.

13. On May 10, 2016, Respondent entered into a Stipulated Final Order for Permanent Injunction and Civil Penalty Judgment with the FTC concerning the allegations made in the Complaint (“FTC Final Order”). The FTC Final Order permanently restrained and enjoined Respondent from engaging in the violative activity alleged in the Complaint, and ordered that Respondent pay a civil penalty of \$72,000

and comply with certain related compliance reporting, compliance monitoring and recordkeeping requirements.

14. Respondent's Corporate Policy and Procedures manual, dated October 9, 2017, indicates that a new section concerning direct disputes was not added until July 10, 2017.

15. On November 17, 2016, a Stipulation and Final Agency Order ("Colorado Order") was entered into by Respondent and the Administrator of the Colorado Fair Debt Collection Practices Act ("Administrator"). The Colorado Order recited various prior disciplinary actions against Respondent in Colorado, including:

- a. A Letter of Admonition issued on April 7, 1997, for claims related to failure to update collection notices to comply with statutory changes;
- b. A Final Agency Order executed on January 28, 1998, for violation of the April 7, 1997 Letter of Admonition;
- c. A Letter of Admonition issued for claims related to third-party disclosure and recordkeeping violations; and
- d. A Final Agency Order executed on November 12, 2013, for claims related to failure to update collection notices with a new Colorado address.

16. The Colorado Order sought to resolve new concerns relating to a consumer complaint and alleged that Respondent added inappropriate collection fees to consumer accounts, which violated the Colorado Fair Debt Collection Practices Act, and mailed 6,185 collection notices to Colorado consumers which failed to include its local Colorado office information. The Colorado Order required that Respondent cease and desist from engaging in or committing the alleged violative conduct, pay \$9,185 to the order of the Administrator, and issue refunds of any collection fees which were paid by Colorado consumers wherein the underlying contract did not expressly state the collection fee amount.

2014 Examination

17. In August 2014, the Division, along with the states of Idaho, Maine, Massachusetts, North Dakota and Wisconsin (collectively, "2014 Examining States"), conducted a joint examination of Respondent's consumer collection activities for the period from April 1, 2014 to June 30, 2014 ("2014 Examination").

18. On September 16, 2015, as a result of the 2014 Examination, the 2014 Examining States issued a Report of Examination (“2014 Report of Examination”) identifying several concerns, including that Respondent failed to have adequate policies and procedures governing its collection practices and handling of consumer complaints, a sufficient collector training program, an adequate system to monitor its collection calls, and a formal compliance audit program. The 2014 Report of Examination also noted several alleged violations, including, but not limited to, that Respondent:

- a. contacted at least one Connecticut debtor after 9:00 p.m., in violation of Section 36a-809-9(d) of the Regulations;
- b. failed to send at least one Connecticut debtor an initial validation notice, as required by Section 36a-809-13 of the Regulations;
- c. failed to provide in its collection letters the Mini-Miranda stating that the consumer collection agency is attempting to collect a debt and that any information obtained will be used for that purpose, and did not state that the letters were from a debt collector, in violation of Section 36a-809-11(11) of the Regulations;
- d. failed to secure trust accounts by providing multiple creditors withdrawal authority to its trust accounts, in violation of Section 36a-811 of the Connecticut General Statutes;
- e. failed to timely remit monies or escheat outstanding checks from its trust account, in violation of Section 36a-805(9) of the Connecticut General Statutes;
- f. charged debtors a \$25 fee for each dishonored check in violation of Section 52-565a of the Connecticut General Statutes, and failed to account for such fees in the debtors payment history, in violation of Section 36a-809-7 of the Regulations;
- g. charged a Connecticut consumer debtor a collection fee of \$17.00 on a debt of \$24.86, which is in excess of 15% of the amount collected, in violation of Section 36a-805(a)(12) of the Connecticut General Statutes;
- h. assessed Connecticut consumer debtors convenience fees for certain methods of payment, in violation of Section 36a-805(a)(12) of the Connecticut General Statutes;
- i. failed to immediately post payments to debtor accounts, in violation of Section 36a-809-7 of the Regulations;
- j. failed to obtain written authorization or similar authentication for preauthorized electronic payments, in violation of federal Regulation E;
- k. failed to provide prior notice to the Commissioner of a change in location of its consumer collection business, in violation of Section 36a-801(i) of the Connecticut General Statutes; and

1. offered a small loan product to Connecticut consumers in its collection letters, in violation of Section 36a-555 of the 2013 Connecticut General Statutes (now Section 36a-556).

19. By letter dated October 23, 2015, Levine, on behalf of Respondent, made several representations to the 2014 Examining States concerning the allegations made in the 2014 Report of Examination (“2015 Response”), including that:

- a. Respondent’s policy is that all members of the executive team will receive ongoing training relative to applicable laws and regulations no less than twice a year;
- b. Respondent’s consumer complaint process has been formalized and will be utilized companywide on an ongoing basis;
- c. Respondent is developing a formal compliance audit program that will occur semi-annually and all results will be documented and reviewed by the Compliance Department within 30 days of completion;
- d. Management has reviewed the trust account reconciliation process and established procedures to monitor outstanding remittance checks and for accurate, timely filing of unclaimed property in accordance with applicable state escheatment laws; and
- e. Respondent has ceased assessing non-sufficient funds fees and convenience fees to debtors in Connecticut.

20. Certain issues noted in the 2014 Report of Examination were repeat findings of the Department’s 2007 Examination, including, but not limited to, Respondent’s charging impermissible convenience fees and assessing non-sufficient fund fees in excess of amounts permitted by law.

2017 Examination

21. On January 30, 2017, this Division, along with the states of Idaho, Maine and Wisconsin (collectively, “2017 Examining States”), commenced a joint examination of Respondent (“2017 Examination”). A report of examination was issued on July 5, 2017, in connection with such examination.

22. The 2017 Examination reviewed Respondent’s consumer collection practices for the period from September 30, 2015 through September 30, 2016, and found that several of the practices cited in the 2014 Report of Examination were still occurring and had not been remedied, and additionally found violations of Connecticut consumer collection agency laws and regulations.

23. Contrary to the claim made in its 2015 Response, as more fully described in paragraph 19.a, above, during the 2017 Examination, examiners were unable to substantiate that all members of the executive team received on-going training relative to applicable laws and regulations at least twice a year. Respondent only provided documentation evidencing that a one-hour training session of the executive team occurred on September 27, 2017, which was outside of the time period of the 2017 Examination and after examiners had concluded such examination.

24. Contrary to the claim made in its 2015 Response, as more fully described in paragraph 19.b, above, the 2017 Examination revealed that Respondent failed to have a formal complaint policy and procedure in place during the examination period. Respondent's Collection Compliance Officer stated to examiners that there was no formal complaint process in place. Respondent's Corporate Policy and Procedures manual indicates that a formal complaint policy and procedure was not created until October 2017, which was outside of the time period of the 2017 Examination and after examiners had concluded such examination.

25. Contrary to the claim made in its 2015 Response, as more fully described in paragraph 19.c, above, the 2017 Examination found that Respondent lacked an independent audit function and failed to prepare written audit reports and track corrective actions. By e-mail dated March 9, 2017, Respondent's Collection Compliance Officer stated to examiners that Respondent did not prepare audit reports for 2015 and 2016. No audit schedule was in place until examiners arrived on site in January 2017.

26. Contrary to the claim made in its 2015 Response, as more fully described in paragraph 19.d, above, the 2017 Examination found that Respondent had over 275 checks that had been outstanding for more than three years, with 149 of them outstanding for more than five years, and failed to follow state laws and Respondent's policies and procedures concerning the timely escheatment of funds to the respective states. By e-mail dated February 2, 2017, Respondent explained the variance: "Due to the tedious nature and time consuming process of working through the Escheatment process, this policy was not fully implemented due to operating considerations."

27. Contrary to the claim made in its 2015 Response, as more fully described in paragraph 19.e, above, the 2017 Examination found that Respondent charged consumers convenience fees for certain methods of payment. On January 14, 2015, the Division had issued a memorandum to all Connecticut licensed consumer collection agencies, including Respondent, advising that additional processing or convenience fees for expediting payments to collection agencies made by telephone, credit card, electronic check or debit card are prohibited by Connecticut law.

28. The 2017 Examination found that Respondent convinced at least one Connecticut consumer to pay her collection account to Respondent, even though she had previously paid the account directly with the creditor. This finding is similar to allegations made by the FTC in its Complaint: “In numerous instances, consumers contacted by Respondent have disputed the balances the company is trying to collect. Consumers have told Respondent that they paid the account balances [C]onsumers have complained that Respondent continued to attempt to collect on inaccurate account information despite multiple disputes.”

29. Similar to the finding from the 2014 Examination, as more fully described in paragraph 18.g, above, the 2017 Examination found that Respondent charged at least one Connecticut debtor a collection fee in excess of 15% of the amount collected. Respondent was unable to produce an agreement or other evidence substantiating this consumer’s debt.

30. The 2017 Examination also found that Respondent failed to timely disclose and upload to the Nationwide Multistate Licensing System and Registry (“NMLS”) the FTC Final Order and Colorado Order. Respondent uploaded the FTC Final Order and Colorado Order to NMLS only after being notified by examiners of such deficiencies on January 30, 2017.

31. In its August 7, 2017 response to the 2017 Report of Examination, Respondent stated that it is the policy of Respondent to be in compliance with each and every regulatory licensing requirement in all the states and jurisdictions in which it operates and that Respondent keeps an active watch over changes in the state legislatures that would have impact on requirements for licensing. Nonetheless, Respondent failed to comply with state notice requirements as recent as June 2019.

2019 Violation

32. Effective October 1, 2018, Section 36a-801(i) of the Connecticut General Statutes requires that a consumer collection agency licensee provide the Commissioner with notice and a bond rider reflecting a change in location at least thirty (30) calendar days in advance of any such change. Nevertheless, Respondent failed to provide such thirty-day notice of its change of address from 13355 Noel Road, Suite 2100, Dallas, Texas, to 2500 Dallas Parkway, Suite 500, Plano, Texas. In fact, Respondent failed to provide the Commissioner with any prior notice, rather notifying the Commissioner of the address change on June 17, 2019, the same day which the change became effective. As more fully described in paragraph 18.k, above, a similar finding was made in the 2014 Examination. In addition, Respondent did not file a bond rider, endorsement or addendum to the bond reflecting such address change until June 20, 2019, and such bond rider failed to identify the Commissioner as obligee. On August 27, 2019, Respondent filed a corrected bond rider naming the Commissioner as obligee, however the effective date of the bond was August 5, 2019, instead of June 17, 2019. On September 23, 2019, Respondent filed a bond rider with the correct effective date.

Opportunity to Show Compliance

33. On August 26, 2019, pursuant to Section 4-182(c) of the Connecticut General Statutes, the Division provided Respondent an opportunity to show compliance for the retention of its consumer collection agency license in Connecticut.

34. On September 18, 2019, Respondent responded to the Division's August 26, 2019 compliance letter. The Commissioner found such response unpersuasive.

Bond Cancellation

35. On May 27, 2020, the Commissioner received notice from the Travelers Casualty and Surety Company of America that surety bond number 106843628 issued on behalf of Respondent with respect to its consumer collection agency license for its Main Office would be cancelled effective June 23, 2020.

36. On August 31, 2020, pursuant to Section 4-182(c) of the Connecticut General Statutes, the Division informed Respondent by e-mail of the notice of cancellation and provided Respondent an opportunity to show compliance with all lawful requirements for the retention of its consumer collection agency licenses in Connecticut.

37. As of September 8, 2020, Respondent failed to file with the Commissioner any response concerning the bond cancellation. Respondent also failed to file a letter of reinstatement of the bond or a new bond.

38. The Commissioner automatically suspended Respondent's consumer collection agency licenses in Connecticut effective June 23, 2020.

III. STATUTORY BASIS FOR ORDER TO REVOKE CONSUMER COLLECTION AGENCY LICENSES, ORDER TO CEASE AND DESIST AND IMPOSITION CIVIL PENALTY

1. Respondent failed to adequately reconcile its collection trust accounts, as more fully described in paragraphs 18, 19 and 26 of the Matters Asserted, in violation of Section 36a-811 of the Connecticut General Statutes, in effect at such time. Such violation constitutes sufficient grounds to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a)(3) of the Connecticut General Statutes 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 against Respondent pursuant to Sections 36a-804(b)(1) and 36a-52(a) of the Connecticut General Statutes, and to impose a civil penalty against Respondent pursuant to Sections 36a-804(b)(1) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes 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 failed to remit money collected which was not in dispute to clients and escheat unclaimed property in a timely manner, as more fully described in paragraphs 18, 19 and 26 of the Matters Asserted, in violation of Section 36a-805(a)(9) of the Connecticut General Statutes, in effect at such time. Such violations constitute sufficient grounds to revoke Respondent's consumer collection agency licenses

pursuant to Section 36a-804(a)(3) of the Connecticut General Statutes and 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 against Respondent pursuant to Sections 36a-804(b)(1) and 36a-52(a) of the Connecticut General Statutes, and to impose a civil penalty against Respondent pursuant to Sections 36a-804(b)(1) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes authorizes the Commissioner to impose a civil penalty upon Respondent in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

3. Respondent failed to maintain a contract or other evidence of an agreement substantiating such debt and charged a Connecticut debtor a collection fee in excess of 15% of the amount collected, as more fully described in paragraphs 18 and 29 of the Matters Asserted, in violation of Section 36a-805(a)(12) of the Connecticut General Statutes, in effect at such time. Such violations constitute sufficient grounds to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a)(3) of the Connecticut General Statutes and 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 against Respondent pursuant to Sections 36a-804(b)(1) and 36a-52(a) of the Connecticut General Statutes, and to impose a civil penalty against Respondent pursuant to Sections 36a-804(b)(1) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes 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 charged consumers convenience fees for certain methods of payment, as more fully described in paragraphs 18, 19, 20 and 27 of the Matters Asserted, in violation of Section 36a-805(a)(12) of the Connecticut General Statutes, in effect at such time. Such violations constitute sufficient grounds to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a)(3) of the Connecticut General Statutes and 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 against Respondent pursuant to Sections 36a-804(b)(1) and 36a-52(a) of the Connecticut General Statutes, and to impose a

civil penalty against Respondent pursuant to Sections 36a-804(b)(1) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes 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 failed to update its most recent application filed on NMLS, as more fully described in paragraphs 12 through 16, inclusive, and 30 of the Matters Asserted, in violation of Section 36a-801(e) of the Connecticut General Statutes, in effect at such time. Such violations constitute sufficient grounds to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a)(3) of the Connecticut General Statutes and 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 against Respondent pursuant to Sections 36a-804(b)(1) and 36a-52(a) of the Connecticut General Statutes, and to impose a civil penalty against Respondent pursuant to Sections 36a-804(b)(1) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes 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 made statements to the Commissioner in response to the Department's examination findings, as more fully described in paragraphs 19, 22 through 27, inclusive, 31 and 32 of the Matters Asserted, that were, at the time and in the light of the circumstances under which they were made, false or misleading in a material respect, in violation of Section 36a-53a of the Connecticut General Statutes. Such violations constitute sufficient grounds to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a) of the Connecticut General Statutes 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 against Respondent pursuant to Sections 36a-804(b)(1) and 36a-52(a) of the Connecticut General Statutes, and to impose a civil penalty against Respondent pursuant to Sections 36a-804(b)(1) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut

General Statutes 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 failed to provide the Department with thirty (30) calendar days advance notice of a change in location and provide a bond rider, endorsement or addendum to the bond, as more fully described in paragraph 32 of the Matters Asserted, in violation of Section 36a-801(i) of the Connecticut General Statutes. Such violation constitutes sufficient grounds to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a)(3) of the Connecticut General Statutes 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 against Respondent pursuant to Sections 36a-804(b)(1) and 36a-52(a) of the Connecticut General Statutes, and to impose a civil penalty against Respondent pursuant to Sections 36a-804(b)(1) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes 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 conduct, as more fully described in paragraphs 1 through 38, inclusive, of the Matters Asserted, renders the Commissioner unable to determine that the financial responsibility, character, reputation, integrity and general fitness of Respondent are such 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, as required pursuant to Section 36a-801(c)(2) of Connecticut General Statutes. Such failure constitutes sufficient grounds for the Commissioner to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a) of the Connecticut General Statutes and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

9. Respondent's failure to maintain a surety bond that runs concurrently with the period of its consumer collection agency licenses, as more fully described in paragraphs 35 through 38, inclusive, of the Matters Asserted, constitutes sufficient grounds for the Commissioner to deny an application for such license under Section 36a-802(a) of the Connecticut General Statutes and constitutes sufficient grounds for the Commissioner to revoke Respondent's licenses to act as a consumer collection agency in

Connecticut from its main office and branch office pursuant to Section 36a-804(a) of the Connecticut General Statutes and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

IV. NOTICE OF AUTOMATIC SUSPENSION, AMENDED AND RESTATED NOTICE OF INTENT TO REVOKE CONSUMER COLLECTION AGENCY LICENSES, AMENDED AND RESTATED NOTICE OF INTENT TO ISSUE ORDER TO CEASE AND DESIST, AMENDED AND RESTATED 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 constitute sufficient grounds for the Commissioner to issue an order to revoke Respondent's consumer collection agency licenses in Connecticut pursuant to Section 36a-804(a) of the Connecticut General Statutes 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 Sections 36a-804(b) and 36a-52(a) of the Connecticut General Statutes and to impose a civil penalty upon Respondent pursuant to Sections 36a-804(b) and 36a-50(a) of the Connecticut General Statutes.

NOW THEREFORE, pursuant to the authority granted in Section 36a-802(b) of the Connecticut General Statutes, the Commissioner gives **NOTICE** that on June 23, 2020, the licenses of Credit Protection Association, L. P. d/b/a Credit Protection Association, Limited Partnership to act as a consumer collection agency in Connecticut from its main office, at 2500 Dallas Parkway, Suite 500, Plano, Texas, and from its branch office, at 12005 Ford Road, Suite 800, Dallas, Texas (Branch ID # 1402631), were **AUTOMATICALLY SUSPENDED** pending proceedings for revocation.

FURTHER, notice is hereby given to Respondent that the Commissioner intends to issue an order to **REVOKE** Respondent's consumer collection agency licenses in Connecticut from its main office, at 2500 Dallas Parkway, Suite 500, Plano, Texas, and from its branch office, at 12005 Ford Road, Suite 800, Dallas, Texas (Branch ID # 1402631), to issue an order requiring Respondent to **CEASE AND DESIST** from violating Sections 36a-53a, 36a-801(e), 36a-801(i), 36a-805(a)(9), 36a-805(a)(12) and 36a-811 of the Connecticut General Statutes, and to 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 has been requested and is scheduled to be held remotely via videoconference using Microsoft Teams on December 10, 2020, at 10:00 a.m. The hearing will be held in accordance with the provisions of Chapter 54 of the Connecticut General Statutes, Executive Order 7B, Section 1, as amended or superseded, and the Remote Hearing Guidelines available on the Department's website at <https://portal.ct.gov/dob>, 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.

If Respondent fails to appear at the hearing, the allegations herein will be deemed admitted. Accordingly, the Commissioner will issue an order revoking Respondent's consumer collection agency licenses in Connecticut from its main office, at 2500 Dallas Parkway, Suite 500, Plano, Texas, and from its branch office, at 12005 Ford Road, Suite 800, Dallas, Texas (Branch ID # 1402631), will issue an order that Respondent cease and desist from violating Sections 36a-53a, 36a-801(e), 36a-801(i), 36a-805(a)(9), 36a-805(a)(12) and 36a-811 of the Connecticut General Statutes, and may order a civil penalty in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation be imposed upon Respondent.

So ordered at Hartford, Connecticut
this 13th day of November 2020.

/s/

Jorge L. Perez
Banking Commissioner

CERTIFICATION

I hereby certify that on this 13th day of November 2020, I transmitted the foregoing Notice of Automatic Suspension, Amended and Restated Notice of Intent to Revoke Consumer Collection Agency Licenses, Amended and Restated Notice of Intent to Issue Order to Cease and Desist, Amended and Restated Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing to Credit Protection Association, L. P. d/b/a Credit Protection Association, Limited Partnership, Attn: Jeff Davidson, Staff Accountant, and Heather Hinton, Compliance, designated as primary contacts in the contact employee fields on the Nationwide Multistate Licensing System and Registry, at the electronic addresses provided therein; and a copy to be transmitted via electronic mail to Hearing Officer Matthew Saunig, State of Connecticut, Department of Banking, Matthew.Saunig@ct.gov.

/s/

Emily B. Bochman
Paralegal