
IN THE MATTER OF:

**DIVERSIFIED
CONSULTANTS, INC.
NMLS # 938331**

(“Respondent”)

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**ORDER REVOKING CONSUMER
COLLECTION AGENCY LICENSE**

ORDER TO CEASE AND DESIST

AND

ORDER IMPOSING CIVIL PENALTY

I. PRELIMINARY STATEMENT

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 (“Regulations”);

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

WHEREAS, as a result of such Examination, on February 18, 2021, the Commissioner issued a Notice of Automatic Suspension, Notice of Intent to Revoke 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 (collectively “Notice”) against Respondent, which Notice is incorporated herein by reference;

WHEREAS, on February 19, 2021 and March 19, 2021, the Notice was sent by certified mail, return receipt requested, to Respondent (Certified Mail Nos. 70192970000078913036 and 70192970000078912961, respectively);

WHEREAS, the Notice provided Respondent with the opportunity for a hearing and stated that if a hearing was not requested within 14 days following receipt of the Notice, the Commissioner would issue an order revoking Respondent's license to act as a consumer collection agency in Connecticut from its main office at 10550 Deerwood Park Blvd, Suite 309, Jacksonville, Florida;

WHEREAS, on March 5, 2021, the Notice sent to Respondent (Certified Mail No. 70192970000078913036) was returned to the Department marked "Return to Sender – Not Deliverable as Addressed – Unable to Forward";

WHEREAS, on April 21, 2021, the Notice sent to Respondent (Certified Mail No. 70192970000078912961) was returned to the Department marked "Return to Sender – Not Deliverable as Addressed – Unable to Forward";

WHEREAS, the Notice issued against Respondent was deemed received by Respondent on the earlier of the date of actual receipt or seven days after mailing or sending, pursuant to Sections 36a-50(a), 36a-51(a) and 36a-52(a) of the Connecticut General Statutes;

WHEREAS, Respondent failed to request a hearing within the prescribed time period;

WHEREAS, the Commissioner alleged in the Notice, with respect to the activity described therein, that Respondent: (1) failed to file on the Nationwide Multistate Licensing System and Registry ("NMLS") or otherwise notify the Commissioner that it had filed for bankruptcy and that its tangible net worth decreased below the minimum amount required pursuant to subsection (b) of Section 36a-801 of the Connecticut General Statutes, in violation of Section 36a-801(f)(3) of the Connecticut General Statutes, in effect at such time, (2) utilized an out-of-state bank without a branch in Connecticut for its Connecticut debtor monies, in violation of Section 36a-811(b) of the Connecticut General Statutes, in effect at such time, (3) charged at least one Connecticut debtor a collection fee in excess of 15% of the

amount collected, in violation of Section 36a-805(a)(12) of the Connecticut General Statutes, in effect at such time, (4) failed to provide information requested during the Examination, in violation of Section 36a-17 of the Connecticut General Statutes, in effect at such time, and (5) failed to pay the costs of examination, in violation of Section 36a-65(c)(6) of the Connecticut General Statutes, in effect at such time;

WHEREAS, such alleged violations constitute sufficient grounds for the Commissioner to revoke Respondent's license to act as a consumer collection agency in Connecticut pursuant to Section 36a-804(a)(3) 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;

WHEREAS, the Commissioner further alleged in the Notice that Respondent's conduct 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 the Connecticut General Statutes, and constitutes sufficient grounds for the Commissioner to revoke Respondent's consumer collection agency license 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;

WHEREAS, the Commissioner also alleged in the Notice, that Respondent's failure to maintain a surety bond that runs concurrently with the period of its consumer collection agency license 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 license to act as a consumer collection agency in Connecticut from its main office at

10550 Deerwood Park Blvd, Suite 309, Jacksonville, Florida, pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes;

WHEREAS, Section 36a-51(b) of the Connecticut General Statutes provides, in pertinent part, that “[i]f the licensee does not request a hearing within the time specified in the notice . . . , the commissioner shall . . . revoke . . . the license. No such license shall be . . . revoked except in accordance with the provisions of chapter 54”;

WHEREAS, Section 36a-52(a) of the Connecticut General Statutes provides, in pertinent part, that “[i]f the person does not request a hearing within the time specified in the notice . . . , the commissioner shall issue an order to cease and desist against the person. No such order shall be issued except in accordance with the provisions of chapter 54”;

WHEREAS, Section 36a-50(a)(2) of the Connecticut General Statutes provides, in pertinent part, that “[i]f such person does not request a hearing within the time specified in the notice or fails to appear at the hearing, the commissioner may, as the facts require, order that a civil penalty not exceeding one hundred thousand dollars per violation be imposed upon such person”;

WHEREAS, Section 36a-50(a)(3) of the Connecticut General Statutes provides that “[e]ach action undertaken by the commissioner under this subsection shall be in accordance with the provisions of chapter 54”;

AND WHEREAS, Section 36a-1-31(a) of the Regulations provides, in pertinent part, that “[w]hen a party fails to request a hearing within the time specified in the notice, the allegations against the party may be deemed admitted. Without further proceedings or notice to the party, the commissioner shall issue a final decision in accordance with section 4-180 of the Connecticut General Statutes and section 36a-1-52 of the Regulations of Connecticut State Agencies”.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Commissioner finds that the matters asserted, as set forth in paragraphs 10 through 22, inclusive, of Section II of the Notice, shall constitute findings of fact within the meaning of Section 4-180(c) of the Connecticut General Statutes, and that the conclusions as set forth in paragraphs 1 through 7, inclusive, of Section III of the Notice shall constitute conclusions of law within the meaning of Section 4-180(c) of the Connecticut General Statutes and Section 36a-1-52 of the Regulations of Connecticut State Agencies.

2. The Commissioner finds that, pursuant to Section 36a-804(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, sufficient grounds exist to revoke Respondent's license to act as a consumer collection agency in Connecticut from 10550 Deerwood Park Blvd, Suite 309, Jacksonville, Florida. The Commissioner also finds that Respondent has engaged in acts or conduct which, pursuant to Sections 36a-804(b) and 36a-52(a) of the Connecticut General Statutes, forms the basis to issue an order to cease and desist against Respondent and to impose a civil penalty upon Respondent pursuant to Sections 36a-804(b) and 36a-50(a) of the Connecticut General Statutes.

3. The Commissioner finds that the Notice was given in compliance with subsections (a) and (b) of Section 36a-51 and Sections 36a-52(a), 36a-50(a) and 4-177 of the Connecticut General Statutes.

III. ORDER

Having read the record, **I HEREBY ORDER**, pursuant to Sections 36a-804(a), 36a-804(b), 36a-52(a), 36a-50(a) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes, that:

1. The license of Diversified Consultants, Inc. to act as a consumer collection agency in Connecticut from 10550 Deerwood Park Blvd, Suite 309, Jacksonville, Florida, be and is hereby **REVOKED**;
2. Diversified Consultants, Inc. **CEASE AND DESIST** from violating Sections 36a-17, 36a-65(c)(6), 36a-801(f), 36a-805(a)(12) and 36a-811(b) of the Connecticut General Statutes;
3. A **CIVIL PENALTY** of Five Hundred Thousand Dollars (\$500,000) be imposed upon Diversified Consultants, Inc., to be remitted to the Department of Banking by wire transfer,

cashier's check, certified check or money order, made payable to "Treasurer, State of Connecticut", no later than thirty (30) days from the date this Order is mailed; and

4. This Order shall become effective when mailed.

Dated at Hartford, Connecticut,
this 11th day of May 2021.

/s/

Jorge L. Perez
Banking Commissioner

This order was mailed by certified mail,
return receipt requested, to Respondent
on May 12, 2021.

Diversified Consultants, Inc.
Attn: Mavis Kohn, Vice President of Compliance
10550 Deerwood Park Blvd, Suite 309
Jacksonville, FL 32256

Certified Mail No. 7019 1640 0000 1584 4541