
 *
IN THE MATTER OF: *
 *
INFOCOM ENTERTAINMENT *
LTD, INC. *
d/b/a ATLANTIC PACIFIC *
SERVICE *
(“Infocom”) *
 *
ROGER DYER *
(“Dyer”) *
 *
(collectively, “Respondents”) *
 *

ORDER TO CEASE AND DESIST
AND
ORDER IMPOSING CIVIL PENALTY

I. PRELIMINARY STATEMENT

WHEREAS, the Banking Commissioner (“Commissioner”) is charged with the administration of Sections 36a-671 to 36a-671f, inclusive, of Part II of Chapter 669 of the Connecticut General Statutes, “Debt Adjusters and Debt Negotiation”;

WHEREAS, the Commissioner, through the Consumer Credit Division of the Department of Banking, conducted an investigation of the activities of Respondents, pursuant to the authority granted by Section 36a-17 of the Connecticut General Statutes, to determine if they had violated, were violating or were about to violate the provisions of the Connecticut General Statutes within the jurisdiction of the Commissioner;

WHEREAS, as a result of such investigation, on May 25, 2021, the Commissioner issued an Order to Make Restitution (“Order to Make Restitution”), Notice of Intent to Issue Order to Cease and

Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing (collectively, “Order and Notice”) against Respondents, which Order and Notice is incorporated herein by reference;

WHEREAS, on May 26, 2021, the Order and Notice was caused to be mailed by certified mail, return receipt requested, to Infocom (Certified Mail No. 70123050000069995224) and Dyer (Certified Mail No. 70162070000104623177);

WHEREAS, on May 28, 2021, the Order and Notice was caused to be mailed by certified mail, return receipt requested, to Infocom (Certified Mail No. and 70123050000069995194) and Dyer (Certified Mail No. 70162070000104623566);

WHEREAS, the Order and Notice provided Respondents with the opportunity for a hearing, and stated that if a hearing was not requested by Respondents within 14 days of its receipt or if Respondents failed to appear at any such hearing, the allegations would be deemed admitted, the Order to Make Restitution shall remain in effect and become permanent against Respondents, and the Commissioner would issue an order that Respondents cease and desist from violating Section 36a-671(b) 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 each Respondent;

WHEREAS, on May 29, 2021, Infocom received the Order and Notice sent by Certified Mail No. 70123050000069995224;

WHEREAS, the Order and Notice issued against Respondents was deemed received by the persons on the earlier of the date of actual receipt, or seven days after mailing or sending, pursuant to Sections 36a-52(a), 36a-50(a)(1) and 36a-50(c) of the Connecticut General Statutes;

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

WHEREAS, the Commissioner alleged in the Order and Notice, with respect to the activity described therein, that Infocom’s engaging or offering to engage in debt negotiation in this state without obtaining the required license constitutes at least one violation of Section 36a-671(b) of the Connecticut General Statutes, in effect at such time. Such violation forms the basis to issue an order to cease and desist pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, to issue an

order to make restitution pursuant to Sections 36a-671a(b) and 36a-50(c) of the Connecticut General Statutes, and impose a civil penalty pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes;

WHEREAS, the Commissioner alleged in the Order and Notice, with respect to the activity described therein, that Dyer's engaging or offering to engage in debt negotiation in this state without obtaining the required license constitutes at least one violation of Section 36a-671(b) of the Connecticut General Statutes, in effect at such time. Such violation forms the basis to issue an order to cease and desist pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, to issue an order to make restitution pursuant to Sections 36a-671a(b) and 36a-50(c) of the Connecticut General Statutes, and impose a civil penalty pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes;

WHEREAS, also in the Order and Notice, the Commissioner ordered, pursuant to Section 36a-50(c) of the Connecticut General Statutes, that not later than 30 days from the date the Order to Make Restitution became permanent, Respondents shall repay \$5,605.32 plus interest to an identified Connecticut debtor and repay any other Connecticut debtor who entered into an agreement for debt negotiation services with Respondents on and after June 29, 2018, any fees paid by such Connecticut debtor to Respondents, plus interest, and provide evidence of such repayments to the Director of the Consumer Credit Division;

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 or fails to appear at the hearing, 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 of Connecticut State Agencies 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 7 through 15, inclusive, of Section II of the Order and 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 Section III of the Order and 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 Respondents have engaged in acts or conduct which, pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, forms the basis to issue an order to cease and desist against Respondents, and, pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes, forms the basis to impose a civil penalty upon Respondents.

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

III. ORDER

Having read the record, **I HEREBY ORDER**, pursuant to Sections 36a-671a(b), 36a-52(a) and 36a-50(a) of the Connecticut General Statutes, that:

1. Infocom Entertainment LTD, Inc. d/b/a Atlantic Pacific Service **CEASE AND DESIST** from violating Section 36a-671(b) of the Connecticut General Statutes;

2. A **CIVIL PENALTY** of One Hundred Thousand Dollars (\$100,000) be imposed upon Infocom Entertainment LTD, Inc. d/b/a Atlantic Pacific Service, 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;
3. Roger Dyer **CEASE AND DESIST** from violating Section 36a-671(b) of the Connecticut General Statutes;
4. A **CIVIL PENALTY** of One Hundred Thousand Dollars (\$100,000) be imposed upon Roger Dyer, 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;
5. The **ORDER TO MAKE RESTITUTION** issued on May 25, 2021, remains in effect and became permanent against Infocom Entertainment LTD, Inc. d/b/a Atlantic Pacific Service and Roger Dyer on June 20, 2021; and
6. This Order shall become effective when mailed.

Dated at Hartford, Connecticut,
this 24th day of August 2021.

/s/

Jorge L. Perez
Banking Commissioner

This Order was sent by certified mail,
return receipt requested, to
Respondents on August 25, 2021.

Infocom Entertainment LTD, Inc.
d/b/a Atlantic Pacific Service
3580 Wilshire Blvd, Ste 900-33
Los Angeles, CA 90010

Certified Mail No. 7019 1640 0000 1584 7948

Roger Dyer
966 San Pedro St #36
Los Angeles, CA 90021

Certified Mail No. 7019 1640 0000 1584 7931