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IN THE MATTER OF:	*
	*
PEDROSO LEGAL SERVICES LLC	*
a/k/a ELAWNJ.COM	*
("Legal Services")	*
	*
Filipe Pedroso	*
("Pedroso")	*
(collectively, "Respondents")	*
* * * * * * * * * * * * * * * * * * * *	* *

COMMISSIONER'S ORDER ON RESPONDENT'S PETITION FOR RECONSIDERATION

This Order is in response to Respondent's Petition for Reconsideration ("Petition") dated February 8, 2021. After a thorough investigation through the Consumer Credit Division ("Division") of the Department of Banking, the Banking Commissioner ("Commissioner") issued an 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 ("Notice"), dated November 19, 2020. The Commissioner issued a final Order to Cease and Desist, and Order Imposing Civil Penalty ("Order"), on January 12, 2021. Respondents are subject to civil penalties of \$200,000, plus restitution.

Pursuant to Section 36a-1-53 of the Regulations of Connecticut State Agencies, a party may file a petition for reconsideration of a final decision and I may reconsider, reverse, modify or correct a final decision in accordance with Section 4-181a of the Connecticut General Statutes. Section 4-181a(a)(1) of the Connecticut General Statutes provides, in pertinent part, that:

[A] party in a contested case may, within <u>fifteen</u> days after the personal delivery or mailing of the final decision, file with the agency a petition for reconsideration of the decision on the ground that: (A) An error of fact or law should be corrected; (B) new evidence has been discovered which materially affects the merits of the case and which for good reasons was not presented in the agency proceeding; or (C) other good cause for reconsideration has been shown.

The Petition in this matter was due no later January 28, 2021 but was received late by the Division on February 8, 2021. The issue before the Commissioner is whether Respondents have shown, under Section 4-181a of the Connecticut General Statutes good cause for untimely filing the Petition and

for reconsideration of the Order so as to allow an additional opportunity for a hearing. Under Section 36a-1-53 of the Regulations of Connecticut State Agencies, and Section 4-181a(a)(1) of the Connecticut General Statutes "other good cause" may depend on whether the U.S. Postal Service attempted mail delivery multiple occasions.

Several factors in this matter support granting Respondent's late Petition and request for a hearing. The Notice and the Order were mailed to the same two addresses, but Respondent received neither until after the deadline for requesting a hearing February 8, 2021. Respondent remained unaware of all alleged violations and Orders, failing to timely request a hearing. The Respondent seeks an opportunity to "… consider voluntarily complying with the request sought in the Commission's initial Notice dated November 19, 2020, and after due consideration, have the option to timely request a Hearing on the matters alleged in the Order/Notices dated November 19, 2020" (Petition, paragraph 7).

The Commissioner takes administrative notice that during November 2020 through January 2021, the COVID-19 pandemic caused widespread business dislocation and impacted mail delivery. The record fails to establish multiple attempts at delivery of the Notice or the Order to Respondent at the same address and the certified mail receipts that were returned to the Division on January 19, 2021, are illegible. It was not until February 8, 2021, that Respondent received the Notice and Order. Respondent filed a Petition the same day, informing the Division that he closed his private law practice prior to November 2020. Pedroso rents this space which bears no legal office signage and was vacant since March 2020 due to COVID-19 restrictions. Respondent steadfastly maintains that his failure to receive and timely act upon the Notice and the Order was due to non-receipt and that he remains unaware of how the mail receipts were signed in January 2021.

In light of willingness to show compliance with the legal Orders and desire to request a hearing, pursuant to Section 4-181a(a)(1) of the Connecticut General Statutes, Respondent has established "other good cause" for the untimely filing of his Petition, for granting reconsideration in this matter, and for granting a new hearing. I hereby <u>**GRANT**</u> the Petition for Reconsideration and <u>**GRANT**</u> the opportunity for a new hearing.

So Ordered at Hartford, Connecticut This 26^{th} day of February 2021

/s/

Jorge Perez, Banking Commissioner

CERTIFICATION

The undersigned hereby certifies that on this <u>5th</u> day of March 2021, the foregoing **ORDER** to **GRANT** Respondent's Petition for Reconsideration and opportunity for a new hearing in the matter of Pedroso Legal Services LLC a/k/a ELAWNJ.COM ("Legal Services") Filipe Pedroso ("Pedroso") (collectively, "Respondents") was sent by certified mail, return receipt requested, and / or via e-mail to the following:

cc: Filipe Pedroso, Esq. Certified Mail No. 70191640000015844084
5 Yohn Drive
Bridgewater, NJ 08807 (Address updated February 24, 2021)
Respondent – via certified mail, return receipt requested, and via e-mail

Stacey L. Serrano, Esq. <u>Stacey.Serano@ct.gov</u> *Prosecuting Attorney – via e-mail only*

> ____/s/_____ Julie Carta