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 *
IN THE MATTER OF: *
 *
NATIONWIDE CREDIT AND *
COLLECTION INC. *
NMLS # 1057803 *
(“Nationwide”) *
 *
P. J. COLLECTIONS INC. *
d/b/a PJ COLLECTIONS *
NMLS # 2487407 *
(“PJ Collections”) *
 *
 (collectively, “Respondents”) *
 *
 * * * * *

CONSENT ORDER

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;

WHEREAS, Nationwide is an Illinois corporation with its main office at 815 Commerce Drive, Suite. 270, Oak Brook, Illinois, which has never been licensed to act as a consumer collection agency in Connecticut;

WHEREAS, PJ Collections is an Illinois corporation with its main office at 4S100 Illinois Route 59, Suite 17, Naperville, Illinois, which has been licensed to act as a consumer collection agency in Connecticut since June 1, 2023;

WHEREAS, on or about October 10, 2024, Nationwide submitted an application through the Nationwide Multistate Licensing System and Registry (“NMLS”) for a license to act as a consumer

collection agency in Connecticut, which is currently pending;

WHEREAS, the Commissioner, through the Consumer Credit Division (“Division”) of the Department of Banking, conducted an investigation pursuant to Section 36a-17 of the Connecticut General Statutes into the activities of Respondents to determine if they have violated, were violating or were about to violate the provisions of the Connecticut General Statutes and Regulations of Connecticut State Agencies within the jurisdiction of the Commissioner;

WHEREAS, as a result of such investigation, the Commissioner alleges that between April 2018 and the present, Nationwide acted as a consumer collection agency in Connecticut without a license, in violation of Section 36a-801(a) of the Connecticut General Statutes in effect at such time;

WHEREAS, as a result of such investigation, the Commissioner also alleges that between June 2023 and the present, PJ Collections transferred funds collected or received from Connecticut consumer debtors through Nationwide’s trust account, in violation of Section 36a-811(b) of the Connecticut General Statutes;

WHEREAS, the Commissioner believes that such allegations would support initiation of enforcement proceedings against Respondents, which proceedings would constitute a “contested case” within the meaning of Section 4-166(4) of the Connecticut General Statutes. Section 4-177(c) of the Connecticut General Statutes and Section 36a-1-55(a) of the Regulations of Connecticut State Agencies provide that a contested case may be resolved by consent order, unless precluded by law;

WHEREAS, the Commissioner and Respondents acknowledge the possible consequences of formal administrative proceedings, and Respondents, without admitting or denying the allegations contained therein, voluntarily agree to consent to the entry of the sanctions imposed below solely for the purpose of obviating the need for formal administrative proceedings concerning the allegations set forth herein;

WHEREAS, the Commissioner and Respondents now desire to resolve the matters set forth herein;

WHEREAS, Respondents specifically assure the Commissioner that the violations alleged herein shall not occur in the future;

WHEREAS, Respondents acknowledge that they have had the opportunity to consult with and be represented by independent counsel in negotiating and reviewing this Consent Order and execute this Consent Order freely;

WHEREAS, Respondents acknowledge that this Consent Order is a public record and is a reportable event for purposes of the regulatory disclosure questions on NMLS, as applicable;

AND WHEREAS, Respondents, through their execution of this Consent Order, voluntarily agree to waive their procedural rights, including a right to notice and an opportunity for a hearing as it pertains to the allegations set forth herein, voluntarily agree to consent to the entry of the sanctions imposed below and voluntarily wave their right to seek judicial review or otherwise challenge or contest the validity of this Consent Order.

CONSENT TO ENTRY OF SANCTIONS

WHEREAS, Respondents, through their execution of this Consent Order, consent to the Commissioner's entry of a Consent Order imposing the following sanctions:

1. Nationwide shall cease and desist from acting as a consumer collection agency in Connecticut without a license, in violation of Section 36a-801(a) of the Connecticut General Statutes;
2. PJ Collections shall cease and desist from transferring funds through unlicensed entities' trust accounts, in violation of Section 36a-811(b) of the Connecticut General Statutes;
3. No later than the date this Consent Order is executed by Respondents, they shall, jointly or severally, remit to the Department of Banking by electronic funds transfer, cashier's check, certified check or money order made payable to "Treasurer, State of Connecticut", the sum of Ten Thousand Dollars (\$10,000) as a civil penalty; and
4. No later than the date this Consent Order is executed by Nationwide, it shall remit to the Department of Banking by electronic funds transfer, cashier's check, certified check or money order made payable to "Treasurer, State of Connecticut", the sum of Two Thousand Dollars (\$2,000) as a payment for back licensing fees.

CONSENT ORDER

NOW THEREFORE, the Commissioner enters the following:

1. The Sanctions set forth above be and are hereby entered;
2. Upon issuance of this Consent Order by the Commissioner, this matter will be resolved and the Commissioner will not take any future enforcement action against Respondents based upon the allegations set forth herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against Respondents based upon a violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms herein is not being observed or if any representation made by Respondents and reflected herein is subsequently discovered to be untrue;
3. Respondents shall not take any action or make or permit to be made any public statement, including in regulatory filings, any proceeding in any forum or otherwise, denying, directly or indirectly, any allegation referenced in this Consent Order or create the impression that this Consent Order is without factual basis. Except as specifically provided herein, Respondents shall not take any position in any proceeding brought by or on behalf of the Commissioner, or to which the Commissioner is a party, that is inconsistent with any part of this Consent Order. Nothing in this provision affects Respondent's (i) testimonial obligations, or (ii) right to take any legal or factual position that may contradict an allegation in this Consent Order in litigation or other legal proceedings in which the Commissioner is not a party;
4. Subject to the foregoing, and so long as this Consent Order is promptly disclosed by Respondents and their control persons on NMLS, as applicable, nothing in the issuance of this Consent Order shall adversely affect the ability of Respondents to apply for or obtain initial licenses or renewal licenses under Part XII of Chapter 669, Sections 36a-800 et seq., of the Connecticut General Statutes, provided all applicable legal requirements for such license are satisfied and the terms of this Consent Order are followed;
5. This Consent Order shall be binding upon Respondents and their successors and assigns; and
6. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut
this 27th day of November 2024.

/s/

Jorge L. Perez
Banking Commissioner

I, Paul Falvey, state on behalf of Nationwide Credit and Collection Inc. that I have read the foregoing Consent Order; that I know and fully understand its contents; that I am authorized to execute this Consent Order on behalf of Nationwide Credit and Collection Inc.; that Nationwide Credit and Collection Inc. agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that Nationwide Credit and Collection Inc. voluntarily agrees to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

By: /s/
Name: Paul Falvey
Title: President
Nationwide Credit and Collection Inc.

State of: Illinois

County of: Dupage

On this the 21st day of November 2024, before me, Erika Dominguez, the undersigned officer, personally appeared Paul Falvey, who acknowledged himself/herself to be the President of Nationwide Credit and Collection Inc., a corporation, and that he/she as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as Paul Falvey.

In witness whereof I hereunto set my hand.

/s/
Notary Public
Date Commission Expires: Sept. 11, 2027

I, Paul Falvey, state on behalf of P. J. Collections Inc. d/b/a PJ Collections that I have read the foregoing Consent Order; that I know and fully understand its contents; that I am authorized to execute this Consent Order on behalf of P. J. Collections Inc. d/b/a PJ Collections; that P. J. Collections Inc. d/b/a PJ Collections agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that P. J. Collections Inc. d/b/a PJ Collections voluntarily agrees to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

By: /s/
Name: Paul Falvey
Title: President
P. J. Collections Inc. d/b/a PJ Collections

State of: Illinois

County of: Dupage

On this the 21st day of November 2024, before me, Erika Dominguez, the undersigned officer, personally appeared Paul Falvey, who acknowledged himself/herself to be the President of P. J. Collections Inc. d/b/a PJ Collections, a corporation, and that he/she as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as Paul Falvey.

In witness whereof I hereunto set my hand.

/s/
Notary Public
Date Commission Expires: Sept. 11, 2027