
*
IN THE MATTER OF: *
*
ROADRUNNER ACCOUNT *
SERVICES, LLC *
NMLS # 1758660 *
*
(“Roadrunner”) *
*

CONSENT ORDER

WHEREAS, the Banking Commissioner (“Commissioner”) is charged with the administration of Part II of Chapter 668, Sections 36a-535 to 36a-547, inclusive, of the Connecticut General Statutes, “Finance Companies”;

WHEREAS, Roadrunner is a Delaware limited liability company with its main office at 4851 Regent Boulevard, Suite 100, Irving, Texas;

WHEREAS, Roadrunner has never been licensed to engage in the business of a sales finance company in Connecticut;

WHEREAS, on December 20, 2023, Roadrunner, on its own accord, submitted an application through the Nationwide Multistate Licensing System and Registry (“NMLS”) for a license to engage in the business of a sales finance company in Connecticut, which is currently pending;

WHEREAS, the Commissioner, through the Consumer Credit Division of the Department of Banking, conducted an investigation pursuant to Section 36a-17(a) of the Connecticut General Statutes into the activities of Roadrunner to determine if it had violated, was violating or was about to violate the provisions of the Connecticut General Statutes within the jurisdiction of the Commissioner;

WHEREAS, as a result of such investigation, the Commissioner alleges that since October 2022, Roadrunner has engaged in the business of a sales finance company in Connecticut without a license, in violation of Section 36a-536 of the Connecticut General Statutes, by receiving payments of principal and interest from Connecticut retail buyers under retail installment contracts or installment loan contracts;

WHEREAS, the Commissioner believes that such allegation would support initiation of enforcement proceedings against Roadrunner, including, without limitation, proceedings to issue an order to cease and desist against Roadrunner pursuant to Sections 36a-543(d) and 36a-52(a) of the Connecticut General Statutes and to impose a civil penalty of up to One Hundred Thousand Dollars (\$100,000) per violation upon Roadrunner pursuant to Sections 36a-543(d) and 36a-50(a) of the Connecticut General Statutes;

WHEREAS, initiation of such enforcement 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, Roadrunner represents that no consumer complaints have been presented to the state and there is no evidence of any harm to any consumer and the Commissioner has not received any such consumer complaints;

WHEREAS, Roadrunner represents that, since its formation in 2018, its business activities have consisted solely of providing servicing and collection services on accounts originated by its direct owner, Roadrunner Financial, Inc. (NMLS # 1525116), a licensed sales finance company in Connecticut;

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

WHEREAS, Roadrunner acknowledges that it has had the opportunity to consult with and be represented by independent counsel in negotiating and reviewing this Consent Order and executes this Consent Order freely;

WHEREAS, Roadrunner acknowledges that this Consent Order is a public record and is a reportable event for purposes of NMLS, as applicable;

WHEREAS, Roadrunner herein represents to the Commissioner that it has reviewed and updated its internal policies, procedures and controls for ensuring compliance with sales finance company licensure requirements in Connecticut;

AND WHEREAS, Roadrunner, through its execution of this Consent Order, voluntarily agrees to waive its procedural rights, including a right to a notice and an opportunity for a hearing as it pertains to the allegation set forth herein, and voluntarily waives its right to seek judicial review or otherwise challenge or contest the validity of this Consent Order.

CONSENT TO ENTRY OF SANCTIONS

WHEREAS, Roadrunner, through its execution of this Consent Order, consents to the Commissioner's entry of a Consent Order imposing the following sanctions:

1. No later than the date this Consent Order is executed by Roadrunner, 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 Ten Thousand Dollars (\$10,000) as a civil penalty;
2. No later than the date this Consent Order is executed by Roadrunner, 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 Eight Hundred Dollars (\$800) as payment for back licensing fees; and
3. Roadrunner shall cease and desist from engaging in the business of a sales finance company in Connecticut without a license, in violation of Section 36a-536 of the Connecticut General Statutes.

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 Roadrunner based upon the allegation contained herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against Roadrunner 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 Roadrunner and reflected herein is subsequently discovered to be untrue;
3. Roadrunner 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, Roadrunner 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 Roadrunner’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 Roadrunner and its control persons, as applicable, on NMLS, nothing in the issuance of this Consent Order shall adversely affect the ability of Roadrunner to apply for or obtain an initial license or renewal licenses under Part II of Chapter 668, Sections 36a-535 *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 Roadrunner and its successors and assigns; and
6. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut,
this 31st day of October 2024.

/s/ _____
Jorge L. Perez
Banking Commissioner

I, Jason Guss, state on behalf of Roadrunner Account Services, LLC 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 Roadrunner Account Services, LLC; that Roadrunner Account Services, LLC agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that Roadrunner Account Services, LLC 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: Jason Guss
Title: President
Roadrunner Account Services, LLC

State of: New Jersey

County of: Hudson

On this the 29th day of October, 2024 before me, Daniel Mancini, Esq, the undersigned officer, personally appeared Jason Guss, who acknowledged himself/herself to be the President of Roadrunner Account Services, LLC, a member managed/manager managed limited liability company, 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 limited liability company by himself/herself as Jason Guss, President.

In witness whereof I hereunto set my hand.

/s/
Daniel Mancini, Esquire
Attorney at Law, State of New Jersey
NJ Supreme Court ID 003872008 / P: 856.207.6800
As authorized by N.J. Rev. Stat. Sec. 46: 14-6.1