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COLORADO COLLECTION AGENCY BOARD MINUTES

Public Session Meeting
October 15, 2015
Colorado Department of Law
1300 Broadway
Conference Room 2B
Denver, CO 80203

I. CALL TO ORDER

The Public Session Meeting was called to order by Julie Ann Meade at 9:38am

II. ROLL CALL

ATTENDEES:

Julie Ann Meade - Administrator

Nikolai Frant- AAG

David Shaw- Attorney

Neal Monaghan- Supervising Financial Credit Examiner

Charly Hoehn - Program Manager

Dara Benoit- Investigator

Mario De La Victoria- Investigator

Maria Casas - Program Assistant

David W. Cannella - Industry Member

Rebecca A. Klinger - Industry Member

Robert LaMarr - Industry Member

Jordan Sauers - Public Member

Sandra Lee Lopez- Public Member

III. MOTION TO AMEND AGENDA

David Canella made motion to amend agenda to add election of officers.

Seconded by Robert LaMarr. Motion passed unanimously.

IV. INTRODUCTIONS

Staff introductions followed by members of the board.

V. ELECTION OF OFFICERS

Robert LaMarr moved to elect David Cannella chairman of the board and second by Rebecca Klinger. Motion passed unanimously.

David Cannella assumed control of the meeting as new chairman.

Robert LaMarr moved that Rebecca Klinger be nominated as vice-chairman and second by Jordan Sauers. Motion passed unanimously.

Robert LaMarr moved that Jordan Sauers be nominated as secretary and second by Rebecca Klinger. Motion passed unanimously.

VI. APPROVAL OF MINUTES FOR BOARD MEETING HELD ON:
November 13, 2014

Motion made by Rebecca Klinger to approve minutes and second by Robert LaMarr. Motion passed unanimously.

VII. STAFF UPDATES

i. LICENSING

The Administrator discussed the new licensee numbers and renewal numbers.

The Administrator commented on identifying internal processed and application processes. Goal is to eventually go out for RFP for a new online licensing system.

ii. CONSUMER COMPLAINT SUMMARY

Dara Benoit updated on number of complaints as well as unlicensed collection agency complaints and type of complaint transactions.

Rebecca Klinger asked what happens to complaints and agencies that are out of state and unlicensed.

Robert LaMarr asked for an example for what the “other” category would be.

iii. RECENT LEGAL AND ADMINISTRATIVE ACTIONS

The Administrator reported on administrative actions, Accurate Financial Partners, ACE Adjustment Inc., Emerald Canyon Capital.

Nikolai Frant updated on PC Legal Services an unlicensed collection case, and Chase, a robo-signing case that was multi-state.

Dave Shaw updated on Peak Resolution, unlicensed collection.

The Administrator discussed process of unlicensed debt collection complaints and disciplinary actions. Cease and desist advisory, negotiated stipulations re: failure to provide paid-in-full or settled-in-full statements, failure to cease communication, failed to timely send validation notice or not send one at all , stipulated disciplinary actions re: change in collections manager, harassment and false or misleading representations and failure to disclose discipline.

David Canella initiated discussion regarding scam debt collection.

David Canella suggests adding the company phone number to the list of licensed agencies with their name and address so that the public can call to verify the company.

iv. DEBT MANAGEMENT

Neal Monaghan, first time presenting, discussed credit counseling and debt settlement, complaints and statistics. Stipulation and Final Agency Order on Freedom Debt Relief. Ongoing case on World Law Group. Case of Opie Law Group an unregistered debt settlement group and Morgan Jackson.

VIII. OTHER BUSINESS

David Cannella opened discussion to audience.

Robert La Marr discussed industry struggles with getting lumped in with scam companies or companies that are unlicensed. Having better statistics that show justified complaints on licensed collection agencies.

Robert LaMarr made motion that complaints be tallied to be categorized between substantiated and unfounded complaints and second by Rebecca Klinger. The Administrator indicated that current limitations by database, but indicated she too wants good statistics, and the goal is a very robust report generating.

Robert LaMarr made motion to give a point of reference for next meeting. Motion passed unanimously.

Rebecca Klinger made motion to provide disciplinary details to the board members. Robert LaMarr seconded the motion. The Administrator indicated

that all disciplinary history is on the website and suggested sending reminders with a link to board members instead of emailing.
Motion made by David Canella. Motion passed unanimously.

David Canella passed out survey conducted through ACA International to look at benefits of what debt collectors do.

Cheryl DePriest commented on legitimacy of complaints.

David Canella moved that the Administrator initiate the rule making procedure before March 31, 2016. Robert LaMarr seconded the motion. The Administrator indicated that the FDCPA is going into sunset review and we will wait until after to do any rulemaking.

IX. NEXT MEETING DATE: tentatively set for April 28, 2016

X. ADJOURNMENT

Robert LaMarr moved to adjourn the meeting and second by Rebecca Klinger
Motion passed unanimously. The meeting adjourned at 11:11 a.m.

DAVID W. CANNELLA
Chairman

REBECCA A. KLINGER
Vice-Chairman

JORDAN SAUERS
Secretary

ROBERT LAMARR
Member