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Las Vegas, Nevada 89121
(702) 486-4120

**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
FINANCIAL INSTITUTIONS DIVISION**

1179 Fairview Drive, Ste 201
Carson City, Nevada 89701
(775) 687-5522

In Re:

Oracle Financial Group, LLC

Respondent.

**ORDER TO CEASE AND DESIST
UNLICENSED ACTIVITIES AND
NOTICE OF RIGHT TO APPEAL**

The State of Nevada Department of Business and Industry, Financial Institutions Division (hereinafter "Division") hereby orders Oracle Financial Group, LLC (hereafter "Respondent") to cease and desist from any and all activities which are covered under Nevada Revised Statutes (NRS) Chapter 649.

JURISDICTION

1. The business of collecting claims for others or of soliciting the right to collect or receive payment for another of any claim in the State of Nevada is governed by chapter 649 of the Nevada Revised Statutes (NRS) and chapter 649 of the Nevada Administrative Code (NAC).

2. The Division has primary jurisdiction for the licensing and regulation of persons operating and/or engaging in collection services. NRS 649.020; NRS 649.045; NRS 649.051 *et seq.*; NRS 649.075 *et seq.*

3. Pursuant to the authority vested by NRS Chapter 649, the Division hereby makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

4. Respondent is not registered with the State of Nevada Secretary of State.

1 5. Respondent's business address is P.O. Box 220, Cheektowaga, NY 14225.

2 6. Respondent is not now and has never been licensed as a collection agency by
3 the Division.

4 7. Respondent engaged in the business as a collection agency in the State of
5 Nevada without first obtaining a license to do so by contacting a Nevada debtor via a
6 collection letter and responding to the verified complaint sent by the Division claiming they are
7 collecting a valid debt from the Nevada debtor.

8 8. Respondent's actions are a willful and intentional violation of the laws of the
9 State of Nevada.

10 9. If any finding of fact is more properly characterized as a conclusion of law, it
11 shall be considered as such.

12 CONCLUSIONS OF LAW

13 10. NRS 649.075(1) reads as follows:

14 1. Except as otherwise provided in this section, a person shall
15 not conduct within this State a collection agency or engage within
16 this State in the business of collecting claims for others, or of
17 soliciting the right to collect or receive payment for another of any
18 claim, or advertise, or solicit, either in print, by letter, in person or
19 otherwise, the right to collect or receive payment for another of any
20 claim, or seek to make collection or obtain payment of any claim
21 on behalf of another without having first applied for and obtained a
22 license from the Commissioner.

19 11. NRS 649.390 provides the Commissioner to take disciplinary action for any
20 violation of NRS Chapter 649.

21 NRS 649.390 Investigation of verified complaint concerning
22 unlicensed person; order to cease and desist; administrative fines;
23 suit to recover fine; cumulative penalties.

23 1. The Commissioner shall conduct an investigation if he
24 receives a verified complaint from any person that sets forth
25 reason to believe that an unlicensed person is engaging in an
26 activity for which a license is required pursuant to this chapter.

25 2. If the Commissioner determines that an unlicensed person is
26 engaging in an activity for which a license is required pursuant to
27 this chapter, the Commissioner shall issue and serve on the
28 person an order to cease and desist from engaging in the activity
until such time as the person obtains a license from the
Commissioner.

1 3. If a person upon whom an order to cease and desist is served
2 does not comply with the order within 30 days after service, the
Commissioner shall, after notice and opportunity for a hearing:

3 (a) Impose upon the person an administrative fine of \$10,000; or

4 (b) Enter into a written consent agreement with the person
5 pursuant to which the person agrees to cease and desist from all
6 unlicensed activity in this State relating to the collection of debts,
7 and impose upon the person an administrative fine of not less than
8 \$5,000 and not more than \$10,000.

9 – The imposition of an administrative fine pursuant to this
10 subsection is a final decision for the purposes of judicial review.

11 4. The Commissioner shall bring suit in the name and on behalf
12 of the State of Nevada against a person upon whom an
13 administrative fine is imposed pursuant to subsection 3 to recover
14 the amount of the administrative fine:

15 (a) If no petition for judicial review is filed pursuant to NRS
16 233B.130 and the fine remains unpaid for more than 90 days after
17 notice of the imposition of the fine; or

18 (b) If a petition for judicial review is filed pursuant to NRS
19 233B.130 and the fine remains unpaid for more than 90 days after
20 exhaustion of any right of appeal in the courts of this State
21 resulting in a final determination that upholds the imposition of the
22 fine.

23 5. A person's liability for an administrative fine is in addition to
24 any other penalty provided in this chapter.

25 12. Pursuant to NRS 649.440, the Commissioner can impose administrative fines of
26 not more than \$10,000.00 for any violation of this chapter.

27 In addition to any other remedy or penalty, the Commissioner
28 may impose an administrative fine of not more than \$10,000 upon
a person who:

1. Without a license or certificate, conducts any business or
activity for which a license or certificate is required pursuant to the
provisions of this chapter; or

2. Violates any provision of this chapter or any regulation
adopted pursuant thereto.

13. Respondent has violated NRS 649.075 by engaging in the business of a
collection agency in the State of Nevada without first obtaining a license from the Division.

14. Pursuant to NRS 649.390, the Division hereby orders Respondent to cease and
desist all activity covered under NRS and / or NAC Chapter 649.

15. Any conclusion of law which is more properly characterized as a finding of fact
shall be considered as such.

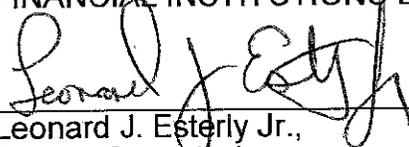
ORDER

IT IS HEREBY ORDERED that Respondent Oracle Financial Group shall **CEASE AND DESIST** from operating and/or engaging in the business of "collecting claims for others, or of soliciting the right to collect or receive payment for another of any claim, or advertise, or solicit, either in print, by letter, in person or otherwise, the right to collect or receive payment for another of any claim, or seek to make collection or obtain payment of any claim on behalf of another" within the State of Nevada unless and until such time Respondent becomes licensed by the Division pursuant to NRS Chapter 649.

DATED this 19th day of November, 2014.

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
FINANCIAL INSTITUTIONS DIVISION

By:


Leonard J. Esterly Jr.,
Deputy Commissioner

1 **APPEAL RIGHTS**

2 **RESPONDENT HAS THE RIGHT TO REQUEST A HEARING IN THIS MATTER.** If
3 you wish to request a hearing you must file a request **within thirty (30) days** after this Order
4 to Cease and Desist was served on the Respondent.

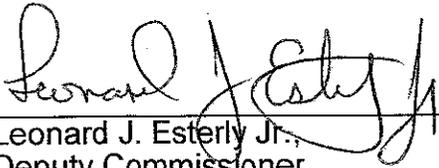
5 Your request for a hearing must be delivered to:

6 STATE OF NEVADA
7 DEPARTMENT OF BUSINESS AND INDUSTRY
8 FINANCIAL INSTITUTIONS DIVISION
9 2785 E. Desert Inn Road, Suite 180
10 Las Vegas, Nevada 89121

11 Other important rights you have are listed in Nevada Revised Statutes Chapters 649
12 and 233B and the Nevada Administrative Code Chapter 649.

13 DATED this 19th day of November, 2014.

14 STATE OF NEVADA
15 DEPARTMENT OF BUSINESS AND INDUSTRY
16 FINANCIAL INSTITUTIONS DIVISION

17 By: 
18 Leonard J. Esterly Jr.
19 Deputy Commissioner
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1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the State of Nevada, Department of Business and
3 Industry, Financial Institutions Division, and that on 20th day of November 2014, I deposited in
4 the U.S. mail, postage prepaid, via First Class Mail and Certified Return Receipt Requested, a
5 true and correct copy of the foregoing **ORDER TO CEASE AND DESIST UNLICENSED**
6 **ACTIVITIES AND NOTICE OF RIGHT TO APPEAL**, addressed as follows:

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8 Oracle Financial Group
9 P.O. Box 220
10 Cheektowaga, NY 14225
11 Attention: Nicholas Shaw

12 Certified Mail: 7013 1090 0000 1697 6361

13 A. E.

14 An Employee of the State of Nevada
15 Department of Business and Industry
16 Financial Institutions Division
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