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**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:

AMERICAN RECOVERY SERVICE
INCORPORATED,

Respondent.

**ORDER TO CEASE AND DESIST
UNLICENSED ACTIVITIES FROM
UNAUTHORIZED BRANCH LOCATION**

**ORDER TO CEASE AND DESIST
UNLICENSED ACTIVITIES FROM
UNAUTHORIZED BRANCH LOCATIONS**

The State of Nevada Department of Business and Industry, Financial Institutions Division (hereinafter "Division") hereby orders AMERICAN RECOVERY SERVICE INCORPORATED, (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). The Division has primary jurisdiction for the licensing and regulation of persons operating and/or engaging in collection services. NRS 649.026.

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

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FINDINGS OF FACT

3. Respondent AMERICAN RECOVERY SERVICE INCORPORATED is a business registered with the State of Nevada Secretary of State. Respondent's resident agent is NATIONAL REGISTERED AGENTS, INC. OF NV located at 1000 East William Street Suite 204, Carson City, Nevada 89701.

4. Respondent is licensed as a collection agency by the Division for its business located at 2000 East Flamingo Road, Las Vegas, Nevada 89119.

5. During an examination by the Division, it was discovered that collection activity towards residents in the State of Nevada was being conducted out of a location at 555 St. Charles Drive, Ste. 100, Thousand Oaks, California 91360 (hereafter the "Thousand Oaks location").

6. Respondent has no license to conduct the business of a collection agency in the State of Nevada for the Thousand Oaks address.

7. Respondent engaged in the business as a collection agent in the State of Nevada from an unauthorized location without first obtaining a license to do so.

8. If any finding of fact is more properly characterized as a conclusion of law, it shall be deemed as such.

CONCLUSIONS OF LAW

9. NRS 649.075(1) reads as follows:

Except as otherwise provided in this section, a person shall not conduct within this State a collection agency or engage within this State 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 without having first applied for and obtained a license from the Commissioner.

1 10. NRS 649.395 provides the Commissioner to take disciplinary action for any
2 violation of NRS Chapter 649.

3 NRS 649.390 Investigation of verified complaint concerning
4 unlicensed person; order to cease and desist; administrative fines;
5 suit to recover fine; cumulative penalties.

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

10 2. If the Commissioner determines that an unlicensed person
11 is engaging in an activity for which a license is required pursuant to
12 this chapter, the Commissioner shall issue and serve on the
13 person an order to cease and desist from engaging in the activity
14 until such time as the person obtains a license from the
15 Commissioner.

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

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

21 (b) Enter into a written consent agreement with the person
22 pursuant to which the person agrees to cease and desist from all
23 unlicensed activity in this State relating to the collection of debts,
24 and impose upon the person an administrative fine of not less than
25 \$5,000 and not more than \$10,000.

26 -- The imposition of an administrative fine pursuant to this
27 subsection is a final decision for the purposes of judicial review.

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

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

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

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

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

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

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

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

11 12. Respondent violated NRS 649.167 and NAC 649.130 by failing to apply for a
12 permit to conduct business from the Thousand Oaks location.

13 NRS 649.167 Permit for branch office; examination of principal
14 office; manager required on premises.

15 1. A collection agency licensed in this State may apply to the
16 Commissioner for a permit to operate a branch office in this State
17 in a location not previously approved by its license.

18 2. The Commissioner shall not issue a permit for a branch
19 office until the principal office of the collection agency has been
20 examined by the Commissioner and found to be satisfactory.

21 3. A branch office must have a manager on the premises
22 during regular business hours.

23 4. The Commissioner shall adopt regulations concerning an
24 application for a permit to operate a branch office.

25 13. Respondent has violated NRS 649.075 by collecting payments on behalf of
26 another from a location which it is not authorized to conduct such business.

27 14. Pursuant to NRS 649.395, the Commissioner hereby orders Respondent to
28 cease and desist all activity covered under NRS Chapter 649 from the Thousand Oaks
location or any other location for which it does not have a license from the State of Nevada.

 15. If any conclusion of law is more properly characterized as a finding of fact, it
shall be deemed as such.

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CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Financial Institutions Division, and that on the 1st day of September, 2009, I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing **ORDER TO CEASE AND DESIST UNLICENSED ACTIVITIES FROM UNAUTHORIZED BRANCH LOCATIONS**, addressed as follows:

American Recovery Service, Inc.
555 St. Charles Drive, Ste. 100
Thousand Oaks, CA 91360

Certified Mail 7008 1830 0002 7964 1424

DATED this 1st day of September, 2009

By: 