

1 **ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS**

2 In the Matter of the Unlicensed Activity of:

No. 12F-BD062-BNK

3 **McKENZIE, BECKER & STEVENS, INC.**
4 **AND MARC HIRSCHEL, PRESIDENT**

CONSENT ORDER

5 8 Holley Street
6 Lakeville, Connecticut 06039

Respondents.

7 On January 3, 2012, the Arizona Department of Financial Institutions (“Department”) issued
8 a Cease and Desist Order, Notice of Opportunity for Hearing, Consent to Entry of Order, alleging
9 that Respondents had violated Arizona law. Wishing to resolve this matter in lieu of an
10 administrative hearing, Respondents consent to the Following Findings of Fact and Conclusions of
11 Law, and consent to the entry of the following Order.

12 **FINDINGS OF FACT**

13 1. McKenzie, Becker & Stevens, Inc. (“MBSI”) is a foreign corporation, with its principal
14 place of business in Connecticut. MBSI is not registered with the Arizona Corporation Commission
15 for purposes of transacting business in Arizona.

16 2. MBSI is not and was not, at any time material herein, authorized to transact business in
17 Arizona as a collection agency in accordance with A.R.S. § 32-1001 *et seq.*

18 3. Marc Hirschel is the President and CEO of MBSI, and is not and was not, at any time
19 material herein, authorized to transact business in Arizona as a collection agency in accordance with
20 A.R.S. § 32-1001 *et seq.*

21 4. Mr. Hirschel and MBSI (collectively, “Respondents”) are not exempt from licensure as a
22 collection agency pursuant to A.R.S. § 32-1004.

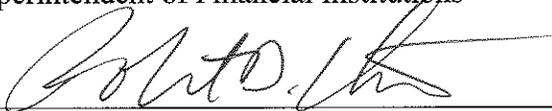
23 5. A.R.S. § 32-1001(2) defines “collection agency” as any person who “engage[s] directly or
24 indirectly in soliciting claims for collection or in collection of claims owed, due or asserted to be
25 owed or due.”

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1 enforceable until such time as, and except to the extent that, it shall be stayed, modified, terminated
2 or set aside.

3 SO ORDERED this 2 day of April, 2012.

4 Lauren W. Kingry
5 Superintendent of Financial Institutions

6 By 
7 Robert D. Charlton
8 Assistant Superintendent of Financial Institutions

8 **CONSENT TO ENTRY OF ORDER**

9 1. Respondents acknowledge that they have been served with a copy of the foregoing
10 Findings of Fact, Conclusions of Law, and Order in the above-referenced matter, have read the
11 same, are aware of the right to an administrative hearing in this matter, and have waived the same.

12 2. Respondents admit the jurisdiction of the Superintendent and consent to the entry of the
13 foregoing Findings of Fact, Conclusions of Law, and Order.

14 3. Respondents state that no promise of any kind or nature has been made to induce them to
15 consent to the entry of this Order, and that they have done so voluntarily.

16 4. Respondents agree to immediately cease from engaging in the violative conduct set forth
17 above in the Findings of Fact and Conclusions of Law.

18 5. Respondents acknowledge that the acceptance of this Consent by the Superintendent is
19 solely to settle this matter and does not preclude this Department, any other agency or officer of this
20 state or subdivision thereof from instituting other proceedings as may be appropriate now or in the
21 future.

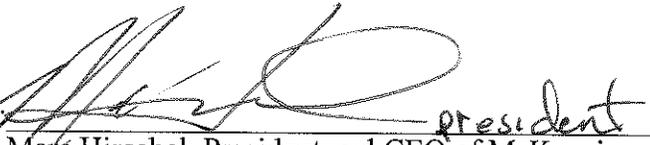
22 6. Failure to correct the violations set forth above in this Order or any future findings of
23 repeat violations may result in disciplinary action which may include a greater civil money penalty.

24 7. Marc Hirschel represents that he is President and CEO and that, as such, has been
25 authorized by McKenzie, Becker & Stevens, Inc. to consent to the entry of this Order on its behalf.

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1 8. Respondents waive all rights to seek judicial review or otherwise to challenge or contest
2 the validity of this Cease and Desist Order.

3 DATED this 13th day of MARCH, 2012.

4
5
6 By:  president
7 Marc Hirschel, President and CEO of McKenzie,
8 Becker & Stevens, Inc.

8 **ORIGINAL** of the foregoing filed this 3rd
9 day of April, 2012, in the office of:

10 Lauren W. Kingry, Superintendent of Financial Institutions
11 Arizona Department of Financial Institutions
12 ATTN: June Beckwith
13 2910 N. 44th Street, Suite 310
14 Phoenix, AZ 85018

15 **COPY** mailed/delivered same date to:

16 Natalia A. Garrett, Assistant Attorney General
17 Office of the Attorney General
18 1275 W. Washington St.
19 Phoenix, AZ 85007

20 Robert D. Charlton, Assistant Superintendent
21 Richard Traveler, Senior Examiner
22 Arizona Department of Financial Institutions
23 ATTN: Sabrina Zimmerman
24 2910 N. 44th Street, Suite 310
25 Phoenix, AZ 85018

26 **AND COPY** mailed and emailed same date, to:

McKenzie, Becker & Stevens, Inc.
ATTN: Marc Hirschel, President and CEO
8 Holley Street
Lakeville, CT 06039
Respondents
marc@mbsinc.net

By: 

#2609802