

1 ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS

2 In the Matter of the Collection Agency License of: No. 09F-BD029-BNK

3 **SCOTTSDALE COLLECTION SERVICES,**
4 **LLC AND RICHARD BARTLETT**
5 2501 W. Dunlap Ave., Suite 240
6 Phoenix, AZ 85021

CONSENT ORDER

Petitioners.

7
8 On September 29, 2008, the Arizona Department of Financial Institutions ("Department")
9 issued a Notice of Hearing alleging that Petitioners had violated Arizona law. Wishing to resolve
10 this matter in lieu of an administrative hearing, Petitioners do not contest the following Findings of
11 Fact and Conclusions of Law, and consent to the entry of the following Order.

12 FINDINGS OF FACT

13 1. Petitioner Scottsdale Collection Services, LLC ("SCS") is an Arizona corporation
14 authorized to transact business in Arizona as a collection agency license number CA0905222 within
15 the meaning of A.R.S. §§ 32-1001, *et seq.* The nature of SCS's business is that of soliciting claims
16 for collection and collection of claims owed, due, or asserted to be owed, or due, within, the
17 meaning of A.R.S. § 32-1001(a)(2)(a).

18 2. SCS is not exempt from licensure as a collection agency within the meaning of
19 A.R.S. § 32-1004(A).

20 3. Petitioner Richard Bartlett ("Mr. Bartlett") is the President of SCS and is authorized
21 to transact business in Arizona as a collection agency within the meaning of A.R.S. §§ 32-1001, *et*
22 *seq.*

23 4. SCS and Mr. Bartlett are not exempt from licensure as a collection agency within the
24 meaning of A.R.S. § 32-1004(A).

1 funds received from clients to the SCS operating account, which is
2 commingling of trust funds into the operating accounts, and then paying

3 ORDER

4 10. The violations, set forth above, constitute grounds for: (1) the issuance of an order
5 pursuant to A.R.S. § 6-137 directing Petitioners to cease and desist from the violative conduct and to
6 take the appropriate affirmative actions, within a reasonable period of time prescribed by the
7 Superintendent, to correct the conditions resulting from the unlawful acts, practices, and
8 transactions; (2) the imposition of a civil monetary penalty pursuant to A.R.S. § 6-132; (3) the
9 suspension or revocation of Petitioners' license pursuant to A.R.S. § 32-1053; and (4) an order or
10 any other remedy necessary or proper for the enforcement of statutes and rules regulating collection
11 agencies pursuant to A.R.S. §§ 6-123 and 6-131.

12 1. SCS and Mr. Bartlett shall immediately stop the violations set forth in the Findings of
13 Fact and Conclusions of Law. SCS and Mr. Bartlett:

- 14 a. Shall maintain sufficient funds in the trust account to meet their responsibility
15 to clients at all times; and
16 b. Shall not over transfer trust funds to pay Company operating expenses, and
17 shall not commingle trust funds with Company funds.

18 2. SCS and Mr. Bartlett shall immediately pay to the Department a civil money penalty
19 in the amount of **two thousand five hundred dollars (\$2,500.00)**. SCS and Mr. Bartlett are jointly
20 liable for payment of the civil money penalty.

21 3. The provisions of this Order shall be binding upon the Petitioners, their employees,
22 agents, and other persons participating in the conduct of the affairs of the Petitioners.

23 4. This Order shall become effective upon service, and shall remain effective and
24 enforceable until such time as, and except to the extent that, it shall be stayed, modified, terminated,
25 or set aside.
26

1 SO ORDERED this 29 day of October, 2008.

2 Felecia A. Rotellini
3 Superintendent of Financial Institutions

4 By: 
5 Robert D. Charlton
6 Assistant Superintendent

7
8 **CONSENT TO ENTRY OF ORDER**

9 1. Petitioners 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 their right to an administrative hearing in this matter, and have waived the same.

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

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

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

22 6. Mr. Bartlett on behalf of SCS and himself, represents that he is the President, and
23 that, as such, has been authorized by SCS to consent to the entry of this Order on its behalf.

24 7. Petitioners waive all rights to seek judicial review or otherwise to challenge or contest
25 the validity of this Cease and Desist Order.

1 DATED this 29th day of October, 2008.

2
3 By: 
4 Richard Bartlett, President
5 Scottsdale Collection Services, LLC

6 ORIGINAL of the foregoing filed this 29th
7 day of October, 2008, in the office of:

8 Felecia A. Rotellini, Superintendent of Financial Institutions
9 Arizona Department of Financial Institutions
10 ATTN: Susan L. Longo
11 2910 N. 44th Street, Suite 310
12 Phoenix, AZ 85018

13 COPY mailed same date to:

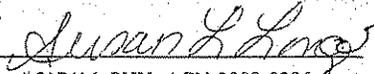
14 Lewis Kowal, Administrative Law Judge
15 Office of the Administrative Hearings
16 1400 West Washington, Suite 101
17 Phoenix, AZ 85007

18 Craig A. Raby, Assistant Attorney General
19 Office of the Attorney General
20 1275 West Washington
21 Phoenix, AZ 85007

22 Robert Charlton, Assistant Superintendent
23 Jack E. Watson, Senior Examiner
24 Arizona Department of Financial Institutions
25 2910 N. 44th Street, Suite 310
26 Phoenix, AZ 85018

AND COPY MAILED SAME DATE by
Certified Mail, Return Receipt Requested, to:

Richard Bartlett, President and Statutory Agent for:
Scottsdale Collection Services, LLC
2501 W. Dunlap Ave., Suite 240
Phoenix, AZ 85021
Petitioners



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