

1 **ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS**

2 In the Matter of the Collection Agency License  
3 of:

No. 10F-BD168-SBD

4 **THUNDERBIRD COLLECTION**  
5 **SPECIALISTS, INC., dba TCS**  
6 **THUNDERBIRD COLLECTION**  
7 **SPECIALISTS AND STEVEN**  
8 **KAMINSKAS, PRESIDENT**  
9 3200 N. Hayden Road,  
10 Scottsdale, AZ 85251

**CONSENT ORDER**

11 Respondents.

12 On June 29, 2010, the Arizona Department of Financial Institutions (“Department”) issued an  
13 Order to Cease and Desist; Notice of Opportunity For Hearing; Consent to Entry of Order, alleging  
14 that Respondents had violated Arizona law. Wishing to resolve this matter in lieu of an  
15 administrative hearing, Respondents consent to the following Findings of Fact and Conclusions of  
16 Law, and consent to the entry of the following Order.

17 **FINDINGS OF FACT**

18 1. Respondent Thunderbird Collection Specialists, Inc., dba TCS-Thunderbird Collection  
19 Specialists, (“Thunderbird”) is an Arizona corporation authorized to transact business in Arizona as  
20 a collection agency, license number CA0005528, within the meaning of A.R.S. § 32-1001, *et seq.*  
21 The nature of Thunderbird’s business is that of soliciting claims for collection and collection of  
22 claims owed, due, or asserted to be owed, or due, within, the meaning of A.R.S. § 32-1001(a)(2)(a).

23 2. Respondent Steven J. Kaminskas (“Mr. Kaminskas”) is the President of Thunderbird and  
24 is authorized to transact business in Arizona as a collection agency within the meaning of A.R.S. §§  
25 32-1001, *et seq.*

26 3. Thunderbird and Mr. Kaminskas are not exempt from licensure as a collection agency  
within the meaning of A.R.S. § 32-1004.

4. An August 17, 2009, examination of Thunderbird, conducted by the Department,  
revealed that Thunderbird and Mr. Kaminskas:

1 a. Failed to implement procedures to correct harassment and other violations of Arizona  
2 statutes and rules since their previous examination, as shown by the following  
3 narratives of complaints filed with the Department since their prior examination:

4 i. Complaint #4009825 – On November 14, 2005, the Department received this  
5 complaint. Complainants received harassing and threatening phone calls to  
6 their home over the previous two months regarding a \$95.00 medical bill. The  
7 complainant asked the collector to cease the harassment but the collector  
8 continued to call at least fifteen times and sometimes as late as 9:30 p.m.

9 ii. Complaint #4009891 – On November 22, 2005, the Department received this  
10 complaint which had been forwarded by the Attorney General’s office.  
11 Complainant disputed the debt it was claimed he owed. He advised the  
12 collector they had bad information and asked the collection agency to stop their  
13 harassment, all to no avail.

14 iii. Complaint #4010050 – On January 2, 2006, the Department received this  
15 complaint. Complainant received a phone call from the collector asking for a  
16 person who was unknown to the complainant. The complainant stated no one  
17 by that name lived at this address. The collector asked if the complainant was  
18 married to this person, and complainant stated he was not and this was the  
19 wrong number. The collector continued to harass complainant about being  
20 married to this person and stated, “I am going to trash your credit.” The  
21 collector was rude, unprofessional and would not let the complainant speak to  
22 his supervisor.

23 iv. Complaint #4010035 – On January 6, 2006, the Department received this  
24 complaint. The collector was rude and threatening on the phone. Complainant  
25 stated the collector had called the wrong number and the address was incorrect.  
26 Complainant wants to ensure her credit report is not affected and that the

1 collector stop the harassing phone calls.

- 2 v. Complaint #4010517 – On May 5, 2006, the Department received this  
3 complaint. Complainant received a collection letter and contacted the  
4 collection company to make payment arrangements. The collector began the  
5 conversation in a confrontational manner and gave the complainant no  
6 opportunity to make the payment arrangements, and the call ended.  
7 Complainant called back again and spoke to the same collector. Complainant  
8 stated she was a customer but the collector told her, you're not a customer,  
9 you're a debtor". The collector was rude, abusive, and complainant was not  
10 treated with respect.
- 11 vi. Complaint #4010625 – On June 14, 2006, the Department received this  
12 complaint. Complainant had started a new job and was not able to take the  
13 collector's phone calls at work. The collector would call him at work up to four  
14 times a day even after the complainant resumed making payments.  
15 Complainant claims the collector discussed the account with complainant's  
16 girlfriend and asked her why she did not pay the bill. The complainant wants  
17 the harassment and threats by phone and mail to stop.
- 18 vii. Complaint #4010686 – On July 5, 2006, the Department received this  
19 complaint which was forwarded from the Attorney General's office.  
20 Complainant claims the collector called repeatedly to the complainant's work  
21 place threatening to sue for more money. Complainant's manager asked the  
22 collector not to call during work hours but the collector continued to do so. The  
23 complainant sent a letter to the collector asking them not to call to his work  
24 place.
- 25 viii. Complaint #4010965 – On September 8, 2006, the Department received this  
26 complaint. Complainant states the collector made calls with the intent to

1 harass, annoy and abuse complainant in the form of repeated daily phone calls.  
2 The collector sometimes called 4-5 times a day. Even after repeated requests to  
3 cease calling, and after complainant informed the collector he was not  
4 responsible for this debt, the collector continued to badger and harass  
5 complainant.

6 ix. Complaint #4011216 – On November 13, 2006, the Department received this  
7 complaint forwarded from the Attorney General’s office. Complainant claims  
8 the collector contacted her at her place of employment. After discussing the  
9 issue, complainant asked not to be contacted at her employment and  
10 complainant provided the collector with her personal cell phone number. The  
11 collector again contacted complainant at her place of employment. The  
12 collector told complainant she was calling her at work because complainant did  
13 not return messages left on the cell phone. Complainant considers the calls to  
14 her place of employment as harassment.

15 x. Complaint #4012906 – On December 12, 2006, the Department received this  
16 complaint which was forwarded by the Attorney General’s office. The  
17 complainant claims the collector contacted her about an insurance payment of  
18 \$1,400.00 she had received asking why she didn’t use this to pay towards her  
19 debt. The Complainant called the insurance company and was told the  
20 insurance payment was in the amount of \$400.00. When complainant told this  
21 to the collector, the collector called her a liar, verbally abused her, and accused  
22 her of spending the \$1,400.00. The collector threatened to put a lien on her car,  
23 garnish her wages and/or take her to court.

24 xi. Complaint #4011486 – On February 1, 2007, the Department received this  
25 complaint which was forwarded by the Attorney General’s office. Complainant  
26 claims the collector called and told her he was with a credit bureau. The

1 collector harassed her saying he was going to garnish her wages and get more  
2 money than she owed by taking her to court. Complainant called the collector  
3 and asked that he only contact her in writing. The collector laughed and hung  
4 up and called her phone number again. She asked him to quit calling her.  
5 Complainant says the collector misrepresented himself, is making harassing  
6 phone calls, hard hitting her credit report for personal information, and calling  
7 her at home before 8:00 a.m. The collector also repeatedly calls the  
8 complainant at her place of employment even though he has been instructed not  
9 to do so.

10 xii. Complaint #4011712 – On March 26, 2007, the Department received this  
11 complaint. Complainant is disputing the debt. The complainant claims the  
12 collector continues to harass him verbally over the phone and at one time used  
13 vulgarity which was unprofessional and uncalled for.

14 xiii. Complaint #4013669 – On August 5, 2008, the Department received this  
15 complaint which was forwarded by the Attorney General's office. Complainant  
16 says the collector called her at work, on her cell phone and home phone.  
17 Complainant asked the collector not to call at work but these calls continued.  
18 On July 20, 2008, the collector called complainant at work and became verbally  
19 loud and harassing when complainant told her she didn't have any money. The  
20 collector told complainant they would be taking the remaining balance from her  
21 account on August 15, 2008, and hung up on her.

22 xiv. Complaint #4014229 – On January 29, 2009, the Department received this  
23 complaint which was forwarded by the Attorney General's office. Complainant  
24 says they have been continually harassed by a collector who yelled at her  
25 husband to pay their medical bills. The collector told her husband not to take  
26 their sons to the emergency room any more and hung up on him.





1 to A.R.S. § 6-122(B)(3), plus any applicable late fees pursuant to A.R.S. § 6-125(D).

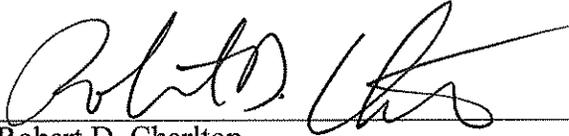
2 4. Respondents shall comply with all Arizona statutes and rules regulating Arizona  
3 collection agencies (A.R.S. §§ 32-1001, *et seq.*).

4 5. The provisions of this Order shall be binding upon Respondents, their employees, agents,  
5 and other persons participating in the conduct of the affairs of Respondents.

6 6. This Order shall become effective upon service, and shall remain effective and  
7 enforceable until such time as, and except to the extent that, it shall be stayed, modified, terminated,  
8 or set aside.

9 SO ORDERED this 18 day of August, 2010.

10 Lauren W. Kingry  
11 Superintendent of Financial Institutions

12 By:   
13 Robert D. Charlton  
14 Assistant Superintendent of Financial Institutions

15 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

25 5. Respondents acknowledge that the acceptance of this Agreement by the Superintendent is  
26 solely to settle this matter and does not preclude this Department, any other agency or officer of this

1 state or subdivision thereof from instituting other proceedings as may be appropriate now or in the  
2 future.

3 6. Steven J. Kaminskas, on behalf of Thunderbird Collection Specialists, Inc. dba TCS-  
4 Thunderbird Collection Specialists and himself, represents that he is the President and that, as such,  
5 has been authorized by Thunderbird Collection Specialists, Inc., dba TCS-Thunderbird Collection  
6 Specialists, to consent to the entry of this Order on its behalf.

7 7. Respondents waive all rights to seek judicial review or otherwise to challenge or contest  
8 the validity of this Order.

9 DATED this 12 day of August, 2010.

10  
11 By: 

12 Steven J. Kaminskas, President  
13 Thunderbird Collection Specialists, Inc.  
14 dba TCS-Thunderbird Collection Specialists

15 ORIGINAL of the foregoing filed this \_\_\_\_\_  
16 day of \_\_\_\_\_, 2010, in the office of:

17 Lauren W. Kingry, Superintendent of Financial Institutions  
18 Arizona Department of Financial Institutions  
19 ATTN: Susan Longo  
20 2910 N. 44th Street, Suite 310  
21 Phoenix, AZ 85018

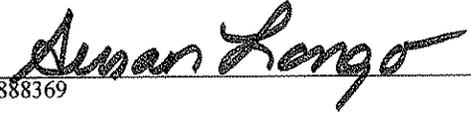
22 COPY mailed/delivered same date to:

23 Craig A. Raby, Assistant Attorney General  
24 Office of the Attorney General  
25 1275 West Washington  
26 Phoenix, AZ 85007

Robert D. Charlton, Assistant Superintendent  
Mack Wynegar, Senior Examiner  
Arizona Department of Financial Institutions  
2910 N. 44th Street, Suite 310  
Phoenix, AZ 85018

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

3 Steven J. Kaminkas, President  
4 Thunderbird Collection Specialists, Inc.  
5 dba TCS-Thunderbird Collection Specialists  
6 3200 N. Hayden Rd., Suite 100  
7 Scottsdale, AZ 85251  
8 Respondents

9   
10 \_\_\_\_\_  
11 888369

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26