



STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
FINANCIAL INSTITUTIONS DIVISION

2785 E. Desert Inn Road, Suite 180
Las Vegas, Nevada 89121
(702) 486-4120

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

In Re:)
ARA. INC, d.b.a. ASSET RECOVERY)
ASSOCIATES)
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 ARA. INC, d.b.a. ASSET RECOVERY ASSOCIATES (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.

FINDINGS OF FACT

3. Respondent ARA, Inc. is not a business registered with the State of Nevada Secretary of State. Respondent's business address is P.O. Box 5002, Villa Park, IL 60181.

4. Respondent solicits collection business through its website addresses <http://www.arainc.us>. On its website, Respondent states that it is engaged in the business of

1 a collection agency. Respondent states, "At ARA, we resolve debts owed to almost every
2 major bank and credit card Company in the country."

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

5 6. Respondent engaged in the business as a collection agency in the State of
6 Nevada without first obtaining a license to do so.

7 7. The Division has received a complaint from a resident of the State of Nevada
8 that Respondent had attempted to collect a claim against the resident.

9 8. On January 3, 2011, Respondent sent a letter on behalf of a debt owed to Bank
10 One in the amount of \$23,285.55. The resident reported to the Division that this claim was
11 over 15 years old.

12 9. On May 13, 2011, Respondent again sent a letter to the Nevada resident stating
13 that its offer to resolve the debt had been extended. The Respondent stated, "This is an
14 attempt to collect a debt, and any information obtained will be used for that purpose. This is a
15 communication from a debt collector."

16 10. Respondent's actions are a willful and intentional violation of the laws of the
17 State of Nevada.

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

20 CONCLUSIONS OF LAW

21 12. NRS 649.075(1) reads as follows:

22 Except as otherwise provided in this section, a person shall not
23 conduct within this State a collection agency or engage within this
24 State in the business of collecting claims for others, or of soliciting
25 the right to collect or receive payment for another of any claim, or
26 advertise, or solicit, either in print, by letter, in person or otherwise,
27 the right to collect or receive payment for another of any claim, or
28 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 13. 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 is
11 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 served
17 does not comply with the order within 30 days after service, the
18 Commissioner shall, after notice and opportunity for a hearing:

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

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

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

27 4. The Commissioner shall bring suit in the name and on behalf
28 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.

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

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

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

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

6 15. Respondent has violated NRS 649.075 by engaging in the business of a
7 collection agency in the State of Nevada.

8 16. Pursuant to NRS 649.395, the Division hereby orders Respondent to cease and
9 desist all activity covered under NRS Chapter 649.

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

12 ORDER

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

20 DATED this 24 day of August, 2012.

21 STATE OF NEVADA
22 DEPARTMENT OF BUSINESS AND INDUSTRY
23 FINANCIAL INSTITUTIONS DIVISION

24 By:



25 CARLA C KOLEBUCK,
26 Deputy Commissioner
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28

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

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

11 DATED this 24 day of August, 2012.

12 STATE OF NEVADA
13 DEPARTMENT OF BUSINESS AND INDUSTRY
FINANCIAL INSTITUTIONS DIVISION

14
15 By: _____

Carla C Kolebuck
16 CARLA C KOLEBUCK,
17 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 13th day of September, 2012, I deposited
4 in the U.S. mail, postage prepaid, via First Class Mail and Certified Return Receipt
5 Requested, a true and correct copy of the foregoing **ORDER TO CEASE AND DESIST**
6 **UNLICENSED ACTIVITIES AND NOTICE OF RIGHT TO APPEAL**, addressed as follows:

7
8 ARA. INC,
9 d.b.a. ASSET RECOVERY ASSOCIATES
10 P.O. Box 5002
11 Villa Park, IL 60181

12 Certified No: 7011 2000 0002 7933 4843

13
14 By: 

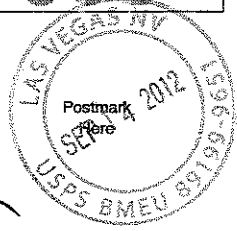
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3835 OFFICIAL USE

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	6.232



Sent To **ARA, INC.**
 DBA: Asset Recovery Associates
 Street, Apt. or PO Box # **P.O. Box 5002**
 City, State **Villa Park, IL 60181**

SM
C&D

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ARA, INC.
DBA: Asset Recovery Associates
P.O. Box 5002
Villa Park, IL 60181

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) **Bryan Chan** C. Date of Delivery **9/11/12**

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7011 2000 0002 7933 4843