

**IN THE MATTER OF:**

**DTRRECOVERY LLC  
a/k/a DT RECOVERY, LLC  
a/k/a DANES TOWING AND RECOVERY  
L.L.C.,**

**DT RECOVERY, INC.,**

**DANE JUSTIN PETROVIC, and**

**JENNIFER ANN PETERSON,**

**Respondents.**

**BEFORE THE MARYLAND  
COMMISSIONER OF  
FINANCIAL REGULATION,**

**and**

**THE MARYLAND STATE  
COLLECTION AGENCY  
LICENSING BOARD IN THE  
OFFICE OF THE COMMISSIONER  
OF FINANCIAL REGULATION**

**Case No.: CFR-FY2012-065**

**SUMMARY ORDER TO CEASE AND DESIST,  
SUMMARY SUSPENSION OF COLLECTION AGENCY LICENSE,  
AND ORDER TO PRODUCE**

WHEREAS, the Maryland Commissioner of Financial Regulation (the “Commissioner”) and the Maryland State Collection Agency Licensing Board in the Office of the Commissioner of Financial Regulation (the “Board”), (the Commissioner and the Board hereinafter referred to as “the Agency”), conducted an investigation into the business activities of DTR Recovery LLC a/k/a DT Recovery, LLC a/k/a Danes Towing and Recovery L.L.C. (hereinafter, “DTR Recovery LLC”), DT Recovery, Inc., Dane Justin Petrovic (“Petrovic), and Jennifer Ann Peterson (“Peterson”), (collectively, the “Respondents”); and

WHEREAS, pursuant to that investigation, the Agency finds grounds to allege that Respondents have engaged in acts or practices that violated the Maryland Collection Agency Licensing Act (“MCALA,” at Business Regulations Article (“BR”) §§ 7-101 – 7-502, Annotated Code of Maryland), the Maryland Consumer Debt Collection Act (“MCDCA,” at

Commercial Law Article (“CL”) §§ 14-201 – 14-204, Annotated Code of Maryland), and the Retail Installment Sales Act (“RISA,” at CL §§ 12-601 – 12-636); and the Agency finds that action under Financial Institutions Article (“FI”), § 2-115(a), Annotated Code of Maryland, and State Government Article (“SG”), § 10-226(c)(2), Annotated Code of Maryland, is appropriate.

NOW, THEREFORE, the Agency has determined, for the reasons set forth below, that the public welfare imperatively requires that the Maryland collection agency license of DT Recovery, Inc. be SUMMARILY SUSPENDED, effective immediately; and that it is in the public interest that Respondents immediately CEASE AND DESIST from engaging, directly or indirectly, in the business of collecting consumer claims from Maryland residents, and from otherwise engaging in the collection agency business in the State of Maryland, including but not limited to immediately ceasing all repossession-related collections activities.

#### **JURISDICTION AND GENERAL AUTHORITY**

1. Pursuant to CL § 12-631, the Commissioner is responsible for investigating and enforcing the provisions of RISA. The Commissioner has additional licensing and regulatory authority over sales finance companies pursuant to FI §§ 11-401 – 11-419.

2. Pursuant to CL §§ 7-101 – 7-309 of MCALA, the Agency is responsible for licensing and regulating persons engaged in collection agency activities in the State of Maryland (the “State”), and for otherwise enforcing the provisions of MCALA and of the MCDCA. As such, the Agency has jurisdiction over the repossession-related collections activities at issue in the present matter.

3. FI §§ 2-114(a) and (b) set forth the Commissioner's general authority to order the production of information, as well as documents and records, while investigating potential violations of laws, regulations, rules, and orders over which the Commissioner has jurisdiction (which is in addition to the Commissioner's specific investigatory authority set forth in various other Maryland statutes and regulations). Thus, FI § 2-114(a)(2) provides that the Commissioner may "[r]equire . . . a person to file a statement in writing, under oath or otherwise as the Commissioner determines, as to all the facts and circumstances concerning the matter to be investigated." Further, pursuant to FI § 2-114(b), "the Commissioner or an officer designated by the Commissioner may," among other things, "take evidence, and require the production of books, papers, correspondence, memoranda, and agreements, or other documents."

4. The Agency has the authority to bring actions under MCALA against persons engaged in various prohibited activities in connection with the collection of any consumer claim, including, but not limited to, for violating the MCDCA, the FDCPA, or RISA pursuant to BR § 7-308(a)(3)(ii) (engaging in illegal activities), and for violating the MCDCA pursuant to BR § 7-308(a)(4). This includes the repossession-related collections activities at issue in the present matter.

5. Pursuant to BR § 7-205, as a result of a hearing, or of providing an opportunity for a hearing, the Agency may issue an order requiring persons to cease and desist from engaging in collection-related violations of the law, may issue a monetary penalty, and may require persons to take affirmative action to correct the violations, including providing restitution to all aggrieved consumers. Additionally, pursuant to the Commissioner's general authority set forth in FI § 2-115(b), as a result of a hearing, or of providing the opportunity to

request a hearing, the Commissioner may, in addition to any other authorized actions taken by the Agency, enter a final order to cease and desist, suspend or revoke any collection agency licenses, impose a civil penalty up to \$1,000 for a first violation of MCALA, the MCDCA, RISA, or of the FDCPA (as violations of MCALA), issue a penalty of up to \$5,000 for each subsequent violation, or may take any combination of the aforementioned actions against violators.

#### APPLICABLE PROVISIONS OF RISA

6. RISA defines the term “*installment sales agreement*” at CL § 12-601(m), as follows:

(1) “Installment sale agreement” means a contract for the retail sale of consumer goods, negotiated or entered into in this State, under which:

- (i) Part or all of the price is payable in one or more payments after the making of the contract; and
- (ii) The seller takes collateral security or keeps a security interest in the goods sold.

(2) “Installment sale agreement” includes:

- (i) A prospective installment sale agreement;
- (ii) A purchase money security agreement; and
- (iii) A contract for the bailment or leasing of consumer goods under which the bailee or lessee contracts to pay as compensation a sum that is substantially equal to or is more than the value of the goods.

(3) “Installment sale agreement” does not include:

- (i) A bona fide C.O.D. transaction or a layaway agreement as defined in § 14-1101(g) of this article; or
- (ii) A lease for industrial, commercial, or agricultural purposes.

7. CL § 12-624 of RISA provides, in relevant part, as follows:

(c) *Discretionary notice before repossession.* –

(1) At least 10 days before he repossesses any goods, the holder may serve a written notice on the buyer of his intention to repossess the goods.

(2) The notice shall:

(i) State the default and any period at the end of which the goods will be repossessed; and

(ii) Briefly state the rights of the buyer in case the goods are repossessed.

(3) The notice may be delivered to the buyer personally or sent to him at his last known address by registered or certified mail.

8. In turn, CL § 12-625 provides, in relevant part, as follows:

(b) *Buyer may redeem goods repossessed.* -- During the period provided for in subsection (a) of this section, the buyer may:

(1) Redeem and take possession of the goods; and

(2) Resume the performance of the agreement.

(c) *Requirements for redemption.* -- To redeem the goods, the buyer shall:

(1) Tender the amount due under the agreement at the time of redemption, without giving effect to any provision which allows acceleration of any installment otherwise payable after that time;

(2) Tender performance of any other promise for the breach of which the goods were repossessed; and

(3) If the discretionary notice provided for in § 12-624(c) of this subtitle was given, pay the actual and reasonable expenses of retaking and storing the goods.

#### **APPLICABLE STATE AND FEDERAL DEBT COLLECTION LAWS**

9. Pursuant to BR § 7-303(b), in order to be qualified for a license as a collection agency under MCALA, the person must satisfy the Agency of the following:

that the applicant is of good moral character and has sufficient financial responsibility, business experience, and general fitness to:

(1) engage in business as a collection agency;

(2) warrant the belief that the business will be conducted lawfully, honestly, fairly, and efficiently; and

(3) command the confidence of the public.

10. BR § 7-305(a) (*Scope of license*), provides that, “[a] license authorizes the licensee to do business as a collection agency at only 1 place of business.”

11. BR § 7-401(a) provides that, “except as otherwise provided in this title, a person may not knowingly and willfully do business as a collection agency in the State unless the person has a license.”

12. The grounds for suspending or revoking a Maryland collection agency license are addressed in BR § 7-308, which provides, in relevant part, the following:

(a) *In general.*- Subject to the hearing provisions of § 7-309 of this subtitle, the Board may reprimand a licensee or suspend or revoke a license if the licensee or any owner, director, officer, member, partner, or agent of the licensee:

\* \* \*

(3) in connection with the collection of any consumer claim:

(i) commits any fraud; or

(ii) engages in any illegal or dishonest activities;

(4) knowingly or negligently violates the Maryland Consumer Debt Collection Act;

\* \* \*

13. Pursuant to CL § 14-202(8) of the MCDCA, “[i]n collecting or attempting to collect an alleged debt,” a debt collector (or “collector”) may not “[c]laim, attempt, or threaten to enforce a right with knowledge that the right does not exist.”

14. The Fair Debt Collection Practices Act (“FDCPA”), at 15 U.S.C. § 1692 *et seq.*, provides, in relevant part, as follows:

**§ 1692e. False or misleading representations**

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section:

\* \* \*

(2) The false representation of--

(A) the character, amount, or legal status of any debt; or

\* \* \*

(5) The threat to take any action that cannot legally be taken or that is not intended to be taken.

\* \* \*

(10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.

\* \* \*

**§ 1692f. Unfair practices**

A debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section:

(1) The collection of any amount (including any interest, fee, charge, or expense incidental to the principal obligation) unless such amount is expressly authorized by the agreement creating the debt or permitted by law.

\* \* \*

15. A towing company that collects payments from consumers on behalf of a third party creditor, whether or not repossession of a motor vehicle has actually occurred, is acting as a “collection agency” in Maryland under BR § 7-101(c). (Such activities by a towing company will hereinafter be referred to as “repossession-related collections activities.”) A person engaging in repossession-related collections activities is thus required to be licensed as a collection agency under MCALE, and is subject to the regulatory authority of the Agency.

16. Further, a person engaging in repossession-related collections activities also meets the definitions of “collector” under CL § 14-201(b) of the MCDCA, and of “debt collector” under 15 U.S.C. § 1692(a) of the FDCPA.

**FACTUAL DETERMINATIONS**

17. The Agency began an investigation of Respondents in July 2011 after receiving complaints pertaining to Respondents’ repossession-related collections activities. The Agency’s investigation revealed the following:

a. Respondent DTRecovery LLC is a Maryland business entity that was organized under Maryland law on September 12, 2006, and which engages in repossession-

related collections activities. Respondent Dane Justin Petrovic is DTRecovery LLC's owner, managing member, and resident agent.

b. From August 31, 2007 through August 31, 2011, DTRecovery LLC was licensed as Maryland collection agency, as that term is defined in BR § 7-101(c), holding collection agency license number 04-4814 to conduct business at the following address: 725 Cambridge Avenue, Aberdeen, Maryland 21001. However, DTRecovery LLC actually conducted its repossession business from the following unlicensed address during the entire time that it held a Maryland collection agency license, as well as after its license had expired: 708 B Pulaski Highway, Joppa, Maryland 21085. The address at which DTRecovery LLC was licensed to conduct business, 725 Cambridge Avenue, is actually the home address of Dane Petrovic, the company's owner.

c. Respondent DT Recovery, Inc. is a Maryland business entity that was incorporated under Maryland law on July 16, 2013. Respondent Jennifer Ann Peterson is DT Recovery, Inc.'s owner, director, officer, and resident agent.

d. DT Recovery, Inc. became licensed as a Maryland collection agency on August 14, 2013, holding collection agency license number 04-6650 since that date to conduct business at the following address: 708 Pulaski Highway, Suite B, Joppa, Maryland 21085.

e. DT Recovery, Inc. is a continuation or reincarnation of DTRecovery LLC. DT Recovery, Inc. continued DTRecovery, LLC's repossession-related collections activities from the same address (one calling it "708 B Pulaski Highway," the other calling it "708 Pulaski Highway, Suite B"), it continued using the same web site and the same phone number, it acquired all of its predecessor's assets, and they both utilized the name "DT



Recovery.” (Respondents DTRecovery LLC and DT Recovery, Inc., acting by and through Respondents Petrovic and Peterson, will collectively be referred to as “DT Recovery.”)

18. The Agency’s investigation further revealed that DT Recovery entered into a business agreement with Mountain Road Inn., Inc. d/b/a BH Motors (hereinafter, “BH Motors”). BH Motors operated from 708 E Pulaski Highway, Joppa, Maryland 21085, which is located at the same street address as DT Recovery, but at a different suite. Under this agreement, BH Motors would sell used automobiles to Maryland consumers, and would provide financing to consumers for their purchases. These agreements constituted installment sales agreements pursuant to CL § 12-601(m) of RISA. In the event that a consumer failed to make their required installment payments, DT Recovery would repossess the vehicle for BH Motors, towing the vehicles and storing them at 708 B Pulaski Highway.

19. Neither BH Motors nor DT Recovery ever sent consumers the discretionary notice prior to repossession provided for in CL § 12-624(c) of RISA. However, once a motor vehicle was repossessed by DT Recovery, DT Recovery would not permit a consumer to redeem the vehicle until after the consumer had paid DT Recovery towing and storage fees, as well as all late auto payments under the installment sales agreement between BH Motors and the consumer. As a result of these repossession-related collections activities, Respondents satisfied the definition of “collection agency” under BR § 7-101(c) of MCALA, of “collector” under CL § 14-201(b) of the MCDCA, and of “debt collector” under 15 U.S.C. § 1692(a) of the FDCPA.

20. The Agency’s investigation revealed that in May 2011, DT Recovery repossessed the automobile of [REDACTED] (“Consumer A”) on behalf of BH Motors. When Consumer A went to redeem her car, she was told that she was required to pay DT

Recovery \$830 in towing and storage fees, in addition to making a missed payment of \$253.96 on her installment sales agreement with BH Motors, even though neither BH Motors nor DT Recovery had ever sent Consumer A the discretionary notice prior to repossession provided for in CL § 12-624(c) of RISA. Consumer A paid these charged amounts in full, including \$830 in towing and storage fees, as well as the missed installment payment, in order to redeem her vehicle.

21. After receiving a complaint from Consumer A, the Agency contacted DT Recovery. Respondent Dane Justin Petrovic promised the Agency that DT Recovery would refund Consumer A the full amount of \$830 for towing and storage fees, but DT Recovery failed to provide any refund to Consumer A. Further, Respondent Petrovic subsequently told the Agency that DT Recovery had already refunded the money to Consumer A, but that statement turned out to be false, as DT Recovery never actually provided Consumer A with any refund. Respondent Petrovic subsequently refused to return any phone calls to Agency investigators, failed to reply to any correspondences, and otherwise failed to cooperate with the Agency's investigation.

22. The Agency expanded its investigation of the Respondents, and subsequently served a subpoena *duces tecum* on Respondents DT Recovery, Inc. and Jennifer Ann Peterson, directing them to appear and to provide documents and information to the Agency. However, these Respondents completely failed to comply with the subpoena, and otherwise completely failed to cooperate with the Agency's investigation.

**CHARGES:**

**Count 1.      Violations of the Retail Installment Sales Act (RISA).**

23.     The regular practice of Respondents has been to collect towing and storage fees on vehicles repossessed pursuant to installment sales agreements subject to RISA, even though consumers are not sent the discretionary notice prior to repossession pursuant to CL § 12-624(c). As such, Respondents have collected fees prohibited by CL § 12-625(c)(3) of RISA. Respondents thereby violated this section of RISA in every instance where it collected such towing and storage fees.

**Count 2.      Violations of Maryland Collection Agency Licensing Act (MCALA) Related to Collecting Prohibited Fees.**

24.     By collecting towing and storage fees on vehicles repossessed pursuant to installment sales agreements subject to RISA, but without sending consumers the discretionary notice prior to repossession pursuant to CL § 12-624(c), Respondents have collected fees that are prohibited by CL § 12-625(c)(3) of RISA. Further, Respondents refused to allow consumers to regain possession of (or “redeem”) their vehicles until the consumers had paid these prohibited fees. As such, Respondents violated CL § 14-202(8) of the MCDCA in each instance where it collected such fees (“[i]n collecting or attempting to collect an alleged debt,” a collector may not “[c]laim, attempt, or threaten to enforce a right with knowledge that the right does not exist”).

25.     Additionally, by collecting fees prohibited by RISA, and by refusing to allow consumers to redeem their vehicles until they had paid these prohibited fees, Respondents violated various provisions of the FDCPA: their actions constituted false or misleading representations, in violation of 15 U.S.C. § 1692(e)(2)(A) (making false representation as to

“the character, amount, or legal status of any debt”), in violation of § 1692(e)(5) (“[t]he threat to take any action that cannot legally be taken . . .”), and in violation of § 1692(e)(10) (“[t]he use of any false representation or deceptive means to collect or attempt to collect any debt. . .”); and they constituted unfair or unconscionable means to collect or attempt to collect a debt, in violation of 15 U.S.C. § 1692(f)(1) (the collection of any amount that is not permitted by law). In turn, these violations of the FDCPA constitute engaging in illegal or dishonest activities in the collection of a consumer claim, and thereby constitute violations of MCALA pursuant to BR §§ 7-308(a)(3)(ii).

26. The violations of RISA, the MCDCA, and the FDCPA set forth in paragraphs 23–25, above, constitute engaging in illegal or dishonest activities in the collection of a consumer claim, and thereby constitute violations of MCALA pursuant to BR §§ 7-308(a)(3)(ii). These violations of the MCDCA also constitute violations of MCALA pursuant to BR § 7-308(a)(4).

**Count 3. Violations of Maryland Collection Agency Licensing Act (MCALA) Related to Engaging in Unlicensed Activity.**

27. All of the repossession-related collections activity conducted by Respondents DTRecovery LLC and Dane Justin Petrovic constituted unlicensed collections under MCALA, since the business was operated by Respondent Petrovic from an unlicensed location during the period when DTRecovery LLC held a license, and since the business continued to engage in collections activity after that license had expired. By engaging in collections activities in Maryland without being duly licensed by the Agency, these Respondents violated MCALA, including BR § 7-305(a) (“[a] license authorizes the licensee to do business as a collection agency at only 1 place of business) and BR § 7-401 (“except as otherwise provided in this

title, a person may not knowingly and willfully do business as a collection agency in the State unless the person has a license”).

28. These unlicensed activities also constituted violations of CL § 14-202(8) of the MCDCA. Further, these unlicensed activities also violated various provisions of the FDCPA: they constituted false or misleading representations, in violation of 15 U.S.C. § 1692(e)(5) and (e)(10), and they constituted unfair or unconscionable means to collect or attempt to collect a debt, in violation of 15 U.S.C. § 1692(f). In turn, these violations of the MCDCA and the FDCPA constitute engaging in illegal or dishonest activities in the collection of a consumer claim, and thereby constitute violations of MCALA pursuant to BR §§ 7-308(a)(3)(ii). These violations of the MCDCA also constitute violations of MCALA pursuant to BR § 7-308(a)(4).

**Count 4. Violations Related to The Agency’s Investigation: Failure to Comply With A Lawful Order; and Violations of FI § 2-114.**

29. Respondents failed to respond to subpoenas issued by the Agency in conjunction with this case, and otherwise completely failed to cooperate or otherwise comply with the investigation, as they were required to do pursuant to FI §§ 2-113 and 2-114. Such conduct constitutes a failure to comply with a lawful order issued by the Agency, as well as a violation of FI § 2-114.

**LIABILITY AND POTENTIAL SANCTIONS**

30. The aforementioned illegal activities by Respondents in connection with the collection of consumer claims, and their failure to comply with the Agency’s subpoena and their failure to otherwise cooperate with the Agency’s investigation, are grounds, subject to an administrative hearing, to suspend or revoke the collection agency license of DT Recovery, Inc. pursuant to BR § 7-308(a)(3)(ii) and (a)(4), as well as pursuant to FI § 2-115(b).

31. Additionally, the violations of MCALA, the MCDCA, RISA, and of the FDCPA (as violations of MCALA) discussed above subjects all of the Respondents, following a hearing or opportunity for a hearing, to monetary penalties and other sanctions under FI § 2-115(b), to sanctions under RISA, and to monetary penalties, restitution, and other sanctions under MCALA. The specifics of these potential penalties and sanctions are detailed below.

**WHEREFORE**, having determined that immediate action is in the public interest, and pursuant to the aforementioned provisions of the Annotated Code of Maryland, it is, by the Commissioner of Financial Regulation, directly and on behalf of the Agency, **HEREBY**

**ORDERED** that the collection agency license of DT Recovery, Inc. is **SUMMARILY SUSPENDED** effective immediately; it is further

**ORDERED** that all Respondents shall immediately **CEASE AND DESIST** from engaging, directly or indirectly, in the business of collecting consumer claims from Maryland residents, and from otherwise engaging in the collection agency business in the State of Maryland, which shall include but is not limited to immediately ceasing all repossession-related collections activities; and it is further

**ORDERED** that all Respondents shall immediately **CEASE AND DESIST** from violating the aforementioned laws, including but not limited to MCALA, the MCDCA, RISA, and the FDCPA (as a violation of MCALA); and that Respondents should be assessed statutory monetary penalties for all such violations; and it is further

**ORDERED** that Respondents shall provide to the Office of the Commissioner each of the following within 15 days of the receipt of this Summary Order to Cease and Desist:

- a. Copies of all agreements and other documents pertaining to the transfer, assignment, or sale of business activities from Respondents DTRecovery LLC and/or Dane Justin Petrovic to Respondents DT Recovery, Inc. and/or Jennifer Peterson, (with these business entities collectively referred to as “DT Recovery”).
- b. A written summary of all oral agreements or other terms pertaining to the transfer, assignment, or sale referenced in paragraph a, above, that are not in writing.
- c. A list of all employees or other persons who have worked for, or on behalf of, DT Recovery at any time since its organization/incorporation. The list must include all officers, directors, managers, agents, and other employees, the dates that they worked for, or on behalf of, DT Recovery, and their positions.
- d. The names, addresses, and phone numbers of all Maryland residents, homeowners and/or consumers (hereinafter “Maryland consumers”) whose motor vehicles were repossessed by DT Recovery at any time; the identifying information (make, model, color and tag #) for each such motor vehicle repossessed; all identifying and contact information for the business entity and/or individual who ordered each repossession; and all written instructions or documents provided to DT Recovery related to the repossession.
- e. A list of the dates of repossession of the vehicles by DT Recovery, and the dates of redemption by consumers, or the dates of sale by the creditor of the vehicle.
- f. A breakdown of all fees charged, or which were to be charged, to consumers (whether paid or not) in order to recover their vehicle pursuant to these repossessions, including but not limited to the amount of all towing, storage, and other fees. Additionally, indicate the amounts paid in each instance by consumers to redeem their vehicles, and indicate those repossessed vehicles that were not redeemed by consumers.
- g. Copies of all written records reflecting the amounts charged, or which were to be collected from the consumers in order to redeem their vehicles. Also, provide copies of all written records indicating the amount actually paid by the consumers to redeem their vehicles.
- h. Copies of each and every written notice sent to consumers, prior to repossession, of DT Recovery’s intention to repossess the goods; for each such notice, provide the name and address to where the notice was mailed or served, the date the notice was served, and proof of service upon the consumer.
- i. Documents detailing financial asset information for Respondents DTRecovery LLC, Dane Justin Petrovic, DT Recovery, Inc., and Jennifer Peterson, for the period from January 1, 2013 through the present, including audited financial statements, unaudited financial statements, tax returns, and like documents.

And it is further

**ORDERED** that failure to provide the information and documents set forth above, by the dates specified, will result in negative inferences being drawn against Respondents, including but not limited to the following: that the Respondents and the creditors for whom they repossessed motor vehicles never sent any Maryland consumers a discretionary notice prior to repossession pursuant to CL § 12-624(c); that Respondents charged towing and storage fees to all Maryland consumers whose motor vehicles they repossessed; that Respondent DT Recovery, Inc. is a mere continuation of the corporate entity DTRecovery LLC and is therefore responsible for the debts and liabilities of DTRecovery LLC; that all of Respondents' towing activities in Maryland are subject to MCALA, the MCDCA, the FDCPA, and RISA; that the individual Respondents directed or controlled all of the activities of the Respondent business entities, and thus all Respondents should be held jointly and severally liable for any violations; that all the debt collection activities of the Respondents were knowing and willful; that the Respondents have acted in bad faith, both in their interactions with Maryland consumers and in their conduct towards the Agency; and that the financial assets of Respondents will not be considered as a mitigating factor in assessing any penalties or restitution; and it is further

**ORDERED** that the failure to provide the information and documents set forth above, by the dates specified, will constitute a violation of an order of the Agency and subject the Respondents to monetary sanctions under FI § 2-115(b), in addition to any penalties assessed against Respondents related to their failure to comply with the subpoenas previously issued by the Agency; and it is further



**ORDERED** that all provisions of this Summary Order to Cease and Desist, Summary Suspension of Collection Agency License, and Order to Produce (“Summary Order”), including all Orders and Notices set forth herein, also apply to all unnamed owners, partners, members, officers, principals, directors, managers, employees, and agents of all Respondent business entities named above; and it is further

**ORDERED** that the officers or managers for all Respondent business entities named above shall provide a copy of this Summary Order to all unnamed owners, partners, members, officers, principals, directors, managers, and agents of those Respondent business entities.

FURTHERMORE,

**RESPONDENTS ARE HEREBY NOTIFIED** that, pursuant to FI § 2-115, SG § 10-226(c)(2), and BR § 7-309, Respondents are entitled to a hearing before the Agency to determine whether this Summary Order should be vacated, modified, or entered as a final Order of the Agency; and further,

**RESPONDENTS ARE HEREBY NOTIFIED** that a hearing in this case will automatically be scheduled and Respondents will receive a Notice of Hearing under separate cover; and that any and all communications in this matter pertaining to the hearing should be addressed to the office issuing the Notice of Hearing, while all other communications in this matter pertaining to this Summary Order should be submitted to the following address:

Administrator, Enforcement Unit  
Office of the Commissioner of Financial Regulation  
500 North Calvert Street, Suite 402  
Baltimore, Maryland 21202;

and further,

**RESPONDENTS ARE HEREBY NOTIFIED** that, pursuant to Code of Maryland Regulations (“COMAR”) § 09.01.02.08 and SG §§ 9-1607.1, 10-206.1, and 10-207, and in accordance with SG § 10-207(b)(4), each individual Respondent in this matter is only permitted to appear at such hearing on behalf of himself / herself, or through an attorney authorized to practice law in Maryland at the Respondent’s own expense; and further,

**RESPONDENTS ARE HEREBY NOTIFIED** that, pursuant to SG §§ 9-1607.1 and 10-206.1, and in accordance with SG § 10-207(b)(4), business entities are only permitted to appear at such hearing through an attorney authorized to practice law in Maryland at the Respondent’s own expense; and further,

**RESPONDENTS ARE HEREBY NOTIFIED** that the foregoing violations provide a basis upon which any or all of the following actions may be taken against the Respondents, subject to a hearing or waiver of a hearing:

- Pursuant to BR § 7-308, the Agency may suspend or revoke the Maryland collection agency license of Respondent DT Recovery, Inc.;
- Pursuant to BR § 7-205, the Agency may issue an order requiring all Respondents to cease and desist from engaging in these violations and any further similar violations, may issue a monetary penalty of up to \$5,000, and may require Respondents to take affirmative action to correct the violations, including providing restitution to all aggrieved consumers;
- Pursuant to CL § 12-631, the Commissioner may issue an order requiring Respondents to cease and desist from engaging in the violations of RISA cited above;

- Pursuant to FI § 2-115(b), as a result of a hearing or of waiver of a hearing, the Agency may, in addition to taking any other action authorized by law, enter a final cease and desist order, suspend or revoke the collection agency license of DT Recovery, Inc., impose a civil penalty against all Respondents up to \$1,000 for the first of each violation of RISA, the MCDCA, and MCALA (including violations of the FDCPA, MCDCA, and RISA as violations of MCALA), as well as issue a penalty up to \$5,000.00 for each subsequent violation of these acts, or may take any combination of the aforementioned actions against Respondents; and
- The Commissioner may also refer this matter to the appropriate agencies for criminal prosecution under CL § 7-401 and under CL § 12-636(a).

MARYLAND COMMISSIONER OF  
FINANCIAL REGULATION, and

MARYLAND STATE COLLECTION  
AGENCY LICENSING BOARD IN THE  
OFFICE OF THE COMMISSIONER OF  
FINANCIAL REGULATION

5/1/2015

Date

By:



Keisha Whitehall Wolfe  
Acting Deputy Commissioner

For Gordon Cooley  
Acting Commissioner of Financial Regulation  
Chairperson, State Collection Agency  
Licensing Board