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**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES**

**BEFORE THE DIRECTOR OF THE DEPARTMENT
OF CONSUMER AND BUSINESS SERVICES**

In the Matter of:

DC-07-0033

**AAA PERSONAL FINANCE
EDUCATION, LLP, an Arizona limited
liability partnership,**

**ORDER TO CEASE AND DESIST,
ORDER ASSESSING CIVIL
PENALTY AND CONSENT TO
ENTRY OF ORDER**

Respondent.

WHEREAS the Division of Finance and Corporate Securities ("Division"), on behalf of the Director of the State of Oregon, Department of Consumer and Business Services ("the Director"), has conducted an investigation of certain business activities conducted by AAA Personal Finance Education, LLP ("PFE") and has determined that PFE has violated provisions of the Oregon law concerning debt consolidating agencies, Oregon Revised Statutes ("ORS") 697.602 to 697.842 and Oregon Administrative Rules ("OAR") chapter 441, division 910; and

WHEREAS PFE wishes to resolve and settle this matter with the Director;

NOW THEREFORE, as evidenced by the authorized signatures subscribed on this Order, PFE hereby **CONSENTS** to entry of this Order to Cease and Desist upon the Director's Findings of Fact and Conclusions of Law as stated hereinafter.

FINDINGS OF FACT

The Director **FINDS** that:

- 1. PFE is an Arizona limited liability partnership with a principal place of business located at 2525 N. Los Altos Avenue, Suite 433, Tucson, Arizona 85705. On

Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3961
Telephone: (503) 378-4387



1 August 21, 2007, the partnership filed a business entity registration with Oregon Secretary of
 2 State. The partners listed in the Oregon business registration are: Richard H. Serlin, Orsolya
 3 K. Lazar and Sashi Lazar.

4 2. PFE is in the business of providing a federally mandated personal finance
 5 management (debtor education) course for individuals claiming bankruptcy. The Executive
 6 Office of the United States Trustees has approved the course pursuant to 11 U.S.C. § 111.

7 3. Prior to June 3, 2006, PFE engaged in offering and providing its online debtor
 8 education course to thirteen Oregon residents. The majority of PFE's Oregon clients were
 9 charged a one-time fee of \$17.95 for the online course, although three of the clients were not
 10 charged a fee for the course.

11 4. On May 3, 2006, PFE contacted the Oregon Division of Finance and Corporate
 12 Securities ("the Division") for approval to charge a fee for its online class pursuant to OAR
 13 441-910-0095. This was the first indication the Division received that PFE was engaged in
 14 the business of a debt consolidating agency in Oregon without being registered with the
 15 Director pursuant to ORS 697.612.

16 5. At all times relevant to this matter, PFE has not been registered with the
 17 Division to engage in debt counseling or debt management activities.

18 CONCLUSIONS OF LAW

19 The Director **CONCLUDES** that:

20 6. AAA Personal Finance Education LLP ("PFE") engaged in the business of a
 21 debt consolidating agency in Oregon without being registered with the Director in violation of
 22 ORS 697.612.

23 ORDER

24 7. The Director, pursuant to ORS 59.245, hereby **ORDERS** that AAA Personal
 25 Finance Education LLP ("PFE") shall **CEASE** and **DESIST** from:

26 A. Engaging in the business of a debt consolidating agency in Oregon unless and



1 until it becomes registered with the Director; and

2 B. Violating other provisions of the Oregon statutes and administrative rules
3 regulating debt consolidating agencies, ORS 697.602 to 697.842 and OAR chapter 441,
4 division 910.

5 8. The Director, pursuant to ORS 697.832, **HEREBY ORDERS** PFE to pay a
6 **CIVIL PENALTY** of one thousand dollars (\$1,000) for each of the thirteen violations of
7 ORS 697.612 (unregistered debt consolidating business), for a total **CIVIL PENALTY** of
8 thirteen thousand dollars (\$13,000).

9 9. Payment of the assessed civil penalty set out above is **SUSPENDED** so long
10 as PFE complies with the terms of this Order; **PROVIDED HOWEVER**, that the suspended
11 portion of the civil penalty assessed by this Order shall be immediately due and payable, with
12 interest at the statutory interest rate of nine percent (9%) simple per annum from the date of
13 default, upon a determination by the Director that PFE has violated any term of this Order.

14 10. In settlement of this matter, PFE agrees to refund the fees collected from all
15 Oregon clients enrolled during the period April 1, 2006 to date. A list of the known Oregon
16 clients is attached to this Order as "Exhibit A."

17 11. PFE agrees to make the refunds to the Oregon clients listed in the attached
18 Exhibit A by October 1, 2007.

19 12. A cover letter from PFE shall accompany any refund check or account
20 adjustment to an Oregon client explaining that the refund is the result of the settlement of a
21 dispute between PFE and the Oregon Division of Finance and Corporate Securities
22 ("Division") wherein the Division alleged that PFE (i) acted as an unregistered debt
23 consolidating agency, and (ii) that in settlement of the dispute with the Division, PFE agrees
24 to refund the fees charged to the client and to become a registered debt consolidation agency
25 in Oregon.

26 ///



1 13. PFE shall bear all costs associated with the processing and mailing of the
 2 refunds to Oregon clients. PFE shall use reasonable efforts to locate and pay refunds to the
 3 Oregon clients listed in the attached Exhibit A. These efforts include using any and all lawful
 4 means at its disposal to find correct mailing addresses for any returned mail.

5 14. No later than October 10, 2007, PFE shall submit a written report to the
 6 Director detailing the refunding of fees, listing each client by name, current mailing address,
 7 client account number, refunded amount, and date of refund. The report shall also include a
 8 copy of the cover letter sent with the refunds.

9 15. PFE agrees to complete any remaining steps to become registered with the
 10 Director as a debt consolidating agency in Oregon no later than September 28, 2007.

11 16. The entry of and compliance by PFE with this Order shall conclusively settle
 12 the matters and allegations between PFE and the Division concerning violations of Oregon
 13 laws related to debt consolidation contained in this Order, but shall in no other way limit
 14 further remedies which may be available to the Director under Oregon law.

15 Dated this 22nd day of September, 2007 at Salem, Oregon.

16 CORY STREISINGER, Director
 17 Department of Consumer & Business Services

18 

19 David C. Tatman, Administrator
 20 Division of Finance & Corporate Securities

21 APPROVED AS TO FORM:

22 Dated: _____

23 _____
 24 Attorney for Respondent

25 ///

26 ///

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 Labor and Industries Building
 350 Winter Street, Suite 410
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