



**COLLECTION SERVICE BOARD
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-741-3600**

**Board Meeting Minutes for December 14, 2016
First Floor Conference Room 1-B
Davy Crockett Tower**

The Tennessee Collection Service Board met on December 14, 2016, in the first floor conference room of Davy Crockett Tower in Nashville, Tennessee. Director Gumucio called the meeting to order at 9:33 a.m. and the following business was transacted:

BOARD MEMBERS PRESENT: Bart Howard, Elizabeth Trinkler, Steven Harb.

BOARD MEMBERS ABSENT: Angela Hoover, Chip Hellmann.

STAFF MEMBERS PRESENT: Roxana Gumucio, Sarah Mathews, Shilina Brown, Aisha Carney.

ROLL CALL/NOTICE OF MEETING

Director Gumucio read notice of the meeting into the record, as follows: "Notice of the December 14, 2016 meeting of the Collection Service Board posted to the Collection Service Board website on December 9, 2016." Howard, Trinkler, Harb were present and Hoover and Hellman were absent.

AGENDA

The motion was carried by unanimous roll call vote.

MINUTES

The motion to adopt the minutes from the September 14, 2016 meeting was motioned and carried by a unanimous roll call vote.

DIRECTORS REPORT

Director Gumucio presented the budget information for the July 2016 fiscal year. There were no legislative updates to report.

LEGAL REPORT

Per the new rule, starting January 23, 2017, a change of ownership is only required if there is 50% or more change of control/ownership within a collection agency.

1. 2015001481 – RE-PRESENT (Shilina Brown)

Complainant was first contacted by the Respondent in 2014 via e-mail concerning a claim on behalf of the medical provider. The Complainant referred the matter to her attorney to contact the Respondents. A written communication was sent by the Complainant's attorney to the Respondent stating that the Complainant should not be contacted. The Complainant received a second notice from the Respondent.

Again, the attorney for the Complainant sent another letter to the Respondent requesting that all communications be directed to counsel. Upon further review by the Respondent's legal department, it stated it verified this information and it appears the attorney representing the consumer refused to obtain a HIPAA waiver and/or sign a HIPAA authorization for release of PHI in order to discontinuance by the Respondent to continue to contact the Complainant and only deal with the attorney for the Complainant directly. As such, the Respondent could not discontinue contacting the Complainant in this matter since HIPAA was applicable and there was PHI involved.

Updated Recommendation: Close

DECISION: The Board to keep this matter open pending further investigation by legal.

2. 2016031941

Status:	Active.
First Licensed:	06/02/2005
License Expiration:	12/31/2016
Disciplinary History:	None.

This is a re-presentation from the September 2016 Meeting:

This complaint was filed by a consumer and alleged that the Respondent failed to comply with state or federal law. Complainant alleged that he received a collection letter from the Respondent which did not indicate that the Respondent is a licensed collection agency in Tennessee. After receiving the letter, Complainant stated that he attempted to verify the Respondent on our website and could not find the Respondent's license. Additionally, Complainant alleges that the Respondent seeks to recover a debt that is not valid, for which no service contract exists, and includes amounts not recoverable by contract or statute.

Respondent did not provide a response to the complaint.

Counsel researched the matter and determined that the Respondent does have an active license in Tennessee. I ran a search on verify (our website), confirmed the Respondent was licensed and found the Respondent's license number. Additionally, Respondent used the language as required under T.C.A. § 62-20-111(b) in its letter to the Complainant.

Recommendation: *Counsel recommends the authorization of a **civil penalty in the amount of Two Hundred Fifty Dollars (\$250)** for failure to respond to the complaint, which is a violation of **T.C.A. 62-20-115(a)(3) & T.C.A. 62-20-115(b)(5)**.*

Decision: *The Board voted to accept the recommendation of legal counsel.*

New Information: Upon receiving the Consent Order, I received a phone call and follow up letter from the Respondent's attorney. This letter explained that upon receipt of the Consent Order, Respondent launched a comprehensive investigation into the account at issue, as well as the circumstances set forth in our Consent Order. Accordingly, the investigation discovered that on June 16, 2016, an administrative employee of the Respondent received the complaint correspondence from our office. At the time of receipt, the employee had only been employed by Respondent for approximately one (1) month and reviewed the complaint correspondence, but failed to forward the correspondence to management for

investigation and response. At this time, the Respondent has taken steps to retrain its employee and put procedures into place so that this will not happen again. Respondent apologizes for failing to respond to the Board and respectfully request the Board reconsideration the complaint.

New Recommendation: Upon speaking with Respondent's attorney and reviewing the facts, Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to send the Respondent a Letter of Warning.

3. 2016038191

Status: Unlicensed.
Disciplinary History: None.

This complaint was filed by a consumer and alleged that the Respondent attempted to collect a disputed debt. Complainant alleged he spoke with a representative of Respondent regarding his attorney being his power of attorney as to the account. Complainant requested via a handwritten note that he would like his attorney to receive all mail from Respondent and not to send any additional documents to Complainant. Complainant spoke with Respondent's representative on April 13, 2016 and alleges that she stated several times that she had not received documents from Complainant by fax. Complainant's attorney sent a letter to Respondent on May 22, 2016 to request forgiveness of the debt and asked that further inquiries be directed to the attorney himself.

Respondent stated in response that they understand the following to be Complainant's concerns, also included is Respondent's responses to the concerns.

- (1) Complainant request that his attorney be listed as an authorized power of attorney on his account.
 - *The request was submitted via a handwritten statement and pursuant to Arkansas (Complainant's place of residence) code this handwritten statement will not suffice. Respondent states they were unable to accept his handwritten notice and they responded to Complainant on June 24, 2016, advising that they were unable to accept it.**
- (2) Complainant believes he should have no further obligation to repay his loans and that they should be discharged, as Complainant is not currently able to work full time.
 - *Respondent states the Complainant can review the available loan forgiveness, cancellation and discharge options online. If the Complainant is deemed totally and permanently disabled, he can follow those guidelines to receive the discharge. Currently the account is past due in the amount of \$766.16.**
- (3) Complainant states he has faxed documents to Respondent for which he received fax confirmation(s), and is upset that Respondent does not show receipt of these documents.
 - *Respondent documented the dates they received documents from the Complainant and how they responded to those documents.**

Counsel would like to note that the Respondent is located in Tennessee and its letter to Complainant stated at the bottom that "this is an attempt to collect on a debt." Upon review of the State's records the Respondent is not a licensed collection agency with the Board.

Recommendation: *Counsel recommends the authorization of a **civil penalty in the amount of One Thousand Dollars (\$1,000)** for unlicensed activity, which is a violation of **T.C.A. 62-20-105(a) & T.C.A. § 62-20-115(b)(5)** to be satisfied within thirty (30) days of execution of the Consent Order. Such Consent Order is to contain Cease and Desist language applicable to the Respondent and any agents working on its behalf*

prohibiting the Respondent and its agents from collecting debts in Tennessee until and unless appropriate licensure is obtained. Such terms are to be settled by Consent Order or Formal Hearing.

Decision: The Board voted to accept the recommendation of legal counsel.

New Information: According to Respondent's attorney, Respondent is a federal student loan servicer. Respondent services loans that are not "in default" as defined under statute and rules. While loans do go delinquent during the course of Respondent's servicing, once they reach default, the loans are transferred off Respondent's system to either a federal guarantor agency or to the Department of Education's debt collection system.

New Recommendation: After review of the facts, Counsel recommends that this matter be **dismissed**, as Respondent is exempt under T.C.A. § 62-20-103(a)(3).

DECISION: The Board voted to accept the recommendation of legal counsel.

4. 2016046511

Status:	Active
First Licensed:	8/23/2013
License Expiration:	10/22/2016
Disciplinary History:	None.

This complaint was filed by a consumer for failing to report and pay to a client the net proceeds of all collections made during a calendar within 30 days. Complainant alleges that he made a payment of \$50.00 by check (#823) in January 2016 which was not reflected on his account. Complainant called Respondent in an effort to locate the payment. After researching, the check was located on an old account that had been in their office years ago under the Complainant's wife's name. The old account was settled in 2013. Respondent advised Complainant to call the original creditor of the old account in order to get reimbursed for the \$50.00 payment. The original creditor stated they had received check #823 and immediately sent it to Respondent. Complainant relayed this information to the Respondent, who stated that check #823 must have been mailed to original creditor instead of Respondent. Respondent has denied reimbursing the Complainant and also would not post this payment to the correct account.

Respondent did not respond to the complainant.

Recommendation: Counsel recommends the authorization of a **civil penalty in the amount of Two Hundred Fifty Dollars (\$250)** for failure to respond to the complaint, which is a violation of **T.C.A. 62-20-115(a)(3) & T.C.A. 62-20-115(b)(5)**.

DECISION: The Board voted to accept the recommendation of legal counsel.

5. 2016047511

Status:	Voluntarily Surrendered
First Licensed:	9/26/2006
License Expiration:	9/25/2014
Disciplinary History:	201300709 Closed with Letter of Warning

This complaint was filed by a law firm requesting that we revoke the Respondent's license. Complainant alleges that the Respondent has been conducting collections activities in Tennessee and that those activities were contrary to federal law. Counsel requested that the complaint provide what the Respondent did that was contrary to federal law, but received no additional information.

Respondent did not respond to the complaint. The first attempt to mail the complaint was returned as "not deliverable and unable to forward." A second attempt was made and according to the tracking number, it appears the business may be closed.

Counsel reviewed the Respondent in our CORE system; according to CORE, the Respondent voluntarily surrendered their license on April 1, 2014.

Recommendation: There is not sufficient evidence to prove a violation; therefore Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to accept the recommendation of legal counsel.

6. 2016047551

Status:	Expired
First Licensed:	10/16/2013
License Expiration:	10/15/2015
Disciplinary History:	None.

This complaint was filed by a law firm requesting that we revoke the Respondent's license. Complainant alleges that the Respondent has been conducting collection activities in Tennessee and that those activities were contrary to federal law. Counsel requested that the complaint provide what the Respondent did that was contrary to federal law, but received no additional information.

Respondent did not respond to the complaint.

Recommendation: There is not sufficient evidence to prove a violation; therefore Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to accept the recommendation of legal counsel.

7. 2016048531

Status:	Expired-Grace
First Licensed:	10/16/2013
License Expiration:	9/25/2016
Disciplinary History:	None.

This complaint was filed by a consumer and alleged that Respondent failed to comply with state or federal laws. Complainant alleges that he has disputed the debt and asked for proof (by certified mail), but yet continues to get notices from Respondent. Complainant states that Respondent has provided no evidence that he owes the debt. Complainant's first letter was sent to the Respondent on February 16,

2016. A second letter was sent on March 28, 2016 and was received by the Respondent's office on April 1, 2016 via certified, which again the Complainant refuted the debt and asked Respondent to provide proof to substantiate the debt. Complainant included notices from the Respondent dated July 12, 2016. Additionally, Complainant provided an email from the CFO of the alleged creditor in which they stated they have confirmed approval of the Complainant's financial assistance application at 100%. At one time Respondent was calling Complainant repeatedly and he asked them to cease by letter.

Respondent did not respond to the complaint. Complaint was left with an individual on August 26, 2016.

Note: Counsel confirmed that at the time of correspondence, Respondent was actively licensed.

Recommendation: After reviewing the file, Counsel cannot confirm that the Complainant's first letter disputing the debt and requesting proof was made within the thirty (30) day period. Therefore, Counsel recommends the authorization of a **civil penalty in the amount of Two Hundred Fifty Dollars (\$250)** for failure to respond to the complaint, which is a violation of **T.C.A. 62-20-115(a)(3) & T.C.A. 62-20-115(b)(5)**.

DECISION: The Board voted to accept the recommendation of legal counsel.

8. 2016051501

Status:	Active
First Licensed:	11/13/1997
License Expiration:	12/31/2016
Disciplinary History:	2012004021 Closed with Letter of Warning

This complaint was filed by a consumer and alleged that Respondent was collecting from the debtor a fee not provided by law for collection service. Complainant alleges that her account was turned over to the Respondent in February 2015 with a balance of \$910.12. Complainant states that she did not know the account was transferred to a collection agency (the Respondent) until the end of June 2016 and in July upon receiving notification she began making payments to the Respondent. Complainant alleges that there is a discrepancy of \$200.12 for payments she has not received credit for and has repeatedly asked Respondent to supply her with statements from March 2016 through June 2016 and they have not. Complainant mailed a letter to the Respondent on June 20, 2016, which disputed the balance of the debt and requested proof documents and billings statements.

Respondent stated that the account originated in August 2013 and was charged off in February 2015 with a balance of \$910.12. The current owner of the account acquired it on March 11, 2015. The Respondent services this account for the current owner. The current balance on the account is \$342.12, which is the difference between the balance on March 11, 2015 (when acquired) and the total payments which have been received by the Respondent. Respondent included statements from August 10, 2013 through February 11, 2015. Respondent states that the tradeline for this account is being reported as "disputed" to the three major consumer reporting agencies. Respondent additionally stated that the Complainant can provide supporting documentation if she believes the balance is incorrect.

Recommendation: Counsel recommends this matter be **dismissed**, due to no violation on behalf of the Respondent.

DECISION: The Board voted to accept the recommendation of legal counsel.

9. 2016051541

Status: Unlicensed.
Disciplinary History: None.

This complaint was filed by a consumer and alleged that Respondent failed to comply with any applicable state or federal laws or regulations. Complainant alleges that Respondent is acting on behalf of a credit card and garnished the Complainant's joint bank account containing only federal funds which are necessary for her 90 year old mother's care.

Respondent is a law firm which represents the credit card company. Respondent states that it obtained a judgment against the Complainant on February 25, 2016 and Respondent subsequently identified the bank account at issue as belonging to the Complainant and served an execution on the banking institution on June 20, 2016. The banking institution paid the levied funds into court on or around July 10, 2016. Shortly thereafter, Complainant and her debt management company contacted Respondent alleged that while Complainant was joint owner of the account, the garnished funds belonged to her month and were exempt. Respondent immediately followed up with the banking institution after receiving this information and was informed that while the account contained commingled exempt and non-exempt funds, the banking institutions systems would not have allowed exempt funds to be garnished. After receiving documents from the Complainant's attorney and from her mother's attorney, the Respondent agreed to release the levied funds and on August 2, 2016 mailed a proposed order releasing the funds. Court records show that this order was endorsed by the court and the funds have been paid over to the Complainant's mother's attorney.

Recommendation: Counsel recommends this matter be **dismissed**, due to no violation on behalf of the Respondent.

DECISION: The Board voted to accept the recommendation of legal counsel.

10. 2016051561

Status: Active
First Licensed: 11/28/2007
License Expiration: 11/27/2016
Disciplinary History: None.

This complaint was filed by a consumer and alleged that Respondent was collecting from the debtor a fee not provided by law for collection service. Complainant alleges that he receives statements showing that he owes money, but Respondent will not tell Complainant what the charge is for or who the providers are.

Respondent stated that there are currently six (6) open accounts that have been placed with their agency. Pursuant to Complainant's concerns, Respondent has reached out to their client to obtain detailed information for the Complainant's account. Respondent provided a billing ledger, which details the description of service by account number and the amount billed to Complainant's insurance, amount paid by his insurance and remaining balance after insurance. Respondent included settlement offers for all of the Complainant's accounts.

Recommendation: After reviewing the file, Counsel cannot confirm that the Complainant's request for additional information was received within the thirty (30) day period or if it was a written request. At this time, our office has forwarded all information received from the Respondent to the Complainant. Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to accept the recommendation of legal counsel.

11. 2016051961

Status: Active
First Licensed: 4/25/2011
License Expiration: 4/24/2017
Disciplinary History: None.

This complaint was filed by a consumer and alleged that the Respondent is collecting from the debtor a fee not provided by law for collection services. Complainant alleges that she received a letter stating that a check had been returned and that Respondent now had the contract to recover the amount from the Complainant. In addition to the letter, Complainant was contacted by phone from a person who identified themselves as a debt collector. According to this person, a check Complainant had written in the amount of \$7,725.43 was returned and therefore sent for collections. Complainant states the check went through fine with no problems. Complainant even called the company to whom she wrote the check and asked them to look into this. The company contacted their accounting department and confirmed that the check had gone through with no problems. Complainant additionally contacted her bank and requested a copy of the check. Complainant states that she is still receiving calls from the Respondent's at home and at work, sometimes 3-4 times a day.

Respondent stated in response that its client, a check authorization and warranty service, became owner of the check through its warranty service when the check was returned by Complainant's bank. Respondent states the check was returned for "not sufficient funds" on June 7, 2016. On July 27, 2016, a validation notice was mailed and explained the consumer's rights to dispute and request validation.

Counsel spoke with Complainant on October 27, 2016 to ask additional questions. Complainant forwarded me an email between herself and her banker, in which her banker stated that from looking at the June 2016 statement the check did not clear and it was returned or bounced. The banker stated when she looked a month prior the system had not shown that the check bounced. Complainant states that if she owes the money, she will certainly pay it but at this point is just not truly sure she does.

Recommendation: Counsel recommends this matter be further **discussed by the Board**.

DECISION: The Board voted to dismiss this matter.

12. 2016052971

Status: Active
First Licensed: 6/5/2009
License Expiration: 6/4/2017
Disciplinary History: None.

This complaint was filed by a consumer for a debt dispute. Complainant alleges she was notified by her employer's payroll department on March 9, 2015 that a request to garnish her wages was being made by

a law firm on behalf of the Respondent. Complainant alleges that she was never contacted by the Respondent regarding the credit card debt prior to being served a summons for \$13,089.06, which was one and half times more than the original charge off debt of \$8,592. Complainant alleges that upon being served, Respondent failed to produce any supporting documentation that validated the chain of assignment to the original account, a contract between Complainant and the credit card company. Complainant made an electronic payment of \$1000 toward the balance and is making monthly payments of \$100 in order to establish and stay on the garnishment.

Respondent stated in response that their records indicate that they communicated with the Complainant prior to filing suit and provided her with verification of the debt. Further, Respondent's counsel reached out to Complainant by mail prior to filing suit and then had multiple conversations with her about payment plans both before and after the court entered judgment on May 1, 2012. Respondent states that Complainant has agreed to at least three (3) different payment plans between the date that suit was filed to present and has made some, but not all, payments on those plans and Respondent issued garnishment only after Complainant stopped making payments.

Recommendation: Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to accept the recommendation of legal counsel.

13. 2016055291

Status:	Active
First Licensed:	11/20/2008
License Expiration:	11/19/2016
Disciplinary History:	2013018611 Closed with Letter of Warning

This complaint was filed by a consumer and alleged that Respondent failed to comply with any applicable state or federal laws or regulations. Complainant alleges that a representative of the Respondent contacted him by phone on August 11, 2016. The representative asked him to verify some personal information in order to further discuss an alleged debt. After refusing to verify any information, Complainant asked how they obtained his phone number and why they hadn't sent a letter. The representative stated that they had already sent a letter and Complainant advised him not to call. Complainant alleges that Respondent had not sent him any communication prior to the August 11th phone call, but that he subsequently received a letter via mail on August 18, 2016. Complainant alleges that the letter failed to meet the required notice of rights and did not contain the name and address of the original creditor.

Respondent did not respond to the complaint. The complaint was delivered and left with an individual on September 23, 2016.

Recommendation: Counsel recommends the authorization of a **civil penalty in the amount of Five Hundred Fifty Dollars (\$500)** for failing to include a statement in the notice informing the Complainant that he has the ability to dispute the debt within thirty days, which is in violation of **T.C.A. § 62-20-115(b)(5) & 15 U.S.C. 1692g(a)(3)** and **Two Hundred Fifty Dollars (\$250)** for failure to respond to the complaint, which is a violation of **T.C.A. § 62-20-115(a)(3) & T.C.A. § 62-20-115(b)(5)**.

DECISION: The Board voted to keep this matter open pending further investigation by legal. Specifically, the Board asked that legal request the Respondent submit a current copy of their initial notice letter in order to determine if it currently contains the correct statement.

14. 2016055671

Status: Active
First Licensed: 11/21/2005
License Expiration: 12/31/2016
Disciplinary History: 201003036 Closed with Letter of Warning

This complaint was filed by a consumer and alleged that the Respondent threatened to report to his credit because he couldn't make minimum payment arrangements. Complainant alleges that he spoke with Respondent on August 8, 2016 and was trying to make a payment arrangement. Complainant stated he could not afford the proposed arrangement. Complainant stated what he could afford and alleges that Respondent's representative threatened to put the information on Complainant's credit since he couldn't make the minimum payment arrangement.

Respondent states the Complainant's account was received on July 27, 2016 for the amount of \$2,585.34. A statement was mailed to the Complainant and Respondent began calling attempts as well. On August 8, 2016, Respondent's representative spoke with Complainant. Complainant is not disputing the amount owed. Respondent informed Complainant of the minimum monthly payment about in order to establish an acceptable payment plan, but Complainant indicated that he could not afford those payments and would send the amount wanted. Respondent states that they explained that his account would still be subject to credit reporting, unless he can establish and abide by the terms of an acceptable payment plan.

Recommendation: Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to accept the recommendation of legal counsel.

15. 2016056001 – Respondent 1

Status: Active
First Licensed: 06/04/2010
License Expiration: 06/03/2018
Disciplinary History: None.

2016056002 – Respondent 2

Status: Active
First Licensed: 02/03/1975
License Expiration: 12/31/2016
Disciplinary History: None.

This complaint was filed by a consumer for a debt dispute. Complainant states that she has two (2) insurance companies – her insurance and insurance as a spouse. Complainant alleges that she went to the hospital on March 8, 2016 and received a bill for \$200 which stated it was 30 days past due. Complainant alleged the following:

- On July 6, 2016, Complainant spoke with a representative for Respondent 1, who stated that her insurance was not paying because they should be primary. Representative stated that they sent the bill to both insurance companies multiple times, after a conversation about primary and secondary insurance and making a designation which Complainant has already done, the representative said she would try processing it one more time.
- Complainant states that she called her insurance company and they said they had never received a claim for that.
- On July 15, 2016, Complainant spoke with another representative of Respondent 1. This representative said she read the notes from the July 6th call and it stated that Complainant's insurance kicked it back against because both insurance companies were listed as primary. Complainant alleges that she again explained that this is an issue because the insurance companies.
- A month later Complainant received another bill and again called Respondent 1 to inquire, she was told to disregard the bill because the matter was "under review" and the account would be noted.
- September 9, 2016, Complaint received a collections notice from Respondent 2. Complainant alleges that Respondent 1 told her multiple times that it would not be sent to collections while they reviewed the account and fixed it.

Respondent 1 stated that they have reviewed the complaint and spoke to their account services, call center personnel, client and Complainant; at this time they believe they have resolved the matter to everyone's satisfaction. Respondent 1 states that they have corrected the confusion and believe that this will not be allowed to persist in the future. Respondent 1 has reassured the Complainant that her account has been withdrawn from Respondent 2 and no credit reporting was ever initiated.

Respondent 2 stated that on August 30, 2016 a validation notice was mailed to the Complainant. Records indicate that on September 6, 2016, it was communicated to Respondent 2 by their client that they should cease all activity on the account and return it to them. Respondent 2's records show that the account was closed on September 6, 2016. On September 12, 2016, the Complainant called Respondent 2 to inquire about the status, it was verified that the account had been closed and returned to their client.

Recommendation: Counsel recommends this matter be **dismissed against Respondent 1 and Respondent 2**, no violations on behalf of the Respondent's.

DECISION: The Board voted to accept the recommendation of legal counsel.

16. 2016056731

Status:	Active
First Licensed:	01/23/1979
License Expiration:	12/31/2016
Disciplinary History:	None.

This complaint was filed by a consumer and alleged the Respondent was unethical and had irresponsible record keeping. Complainant alleges that she had a procedure and the insurance claim was poorly filed due to insurance company paid next to nothing of an over \$2000 bill. The bill was turned over to the Respondent and while Complainant was making payments she stated the Respondent's employees were impossible to work with, rude and insulting. Complainant alleged that she continued to pay the hospital

and they accepted the payments because she was not communicating with the Respondent. Complainant alleges that immediately after paying the bill in full, she received a phone call from the court system to serve a civil warrant on her. Both the hospital and the Respondent stated they have no knowledge of the civil warrant.

Respondent states the account was placed with their office on January 12, 2013 for \$1,819.34. A letter of notification was mailed to the Complainant on January 31, 2013 and a phone call was placed on February 14, 2013, to which the person said you will have to phone back and hung up. Three additional calls were made to the same number, with a message left each no, with no response. On April 12, 2013, Respondent advised the client that litigation was necessary and they authorized and suit was filed by the client's attorney on April 18, 2013. On May 7, 2013, Complainant called Respondent and said she had paid the account; Respondent verified that she had paid \$1000.00 on April 26, 2016 and the client had failed to report this payment. Default judgment was rendered on May 21, 2013 for the balance of the account. On June 3, 2013 the balance was re-verified and Respondent learned that the Complainant had paid the remaining balance on May 7, 2013, which again was not reported by the client to the Respondent.

Recommendation: Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to accept the recommendation of legal counsel.

17. 2016060581

Status:	Active
First Licensed:	11/17/1997
License Expiration:	12/31/2016
Disciplinary History:	None.

This complaint was filed by a consumer and alleged that Complainant never received debt documentation as requested. Complainant alleges that she received a collection notice on August 26, 2016 and contacted the Respondent on August 29, 2016. Complainant didn't dispute that she owed money but has had issues validating doctor charges because they kept using the wrong medical billing codes. Complainant requested an itemized statement so that she could verify the charges and make sure no late fees. Complainant never heard back and on September 12, 2016 she called and was told the charges were for services provided but they did not provide itemized bill. After getting the runaround and speaking with multiple people and leaving messages, Complainant finally spoke with a representative and again asked for a detailed description of bill in order to verify the charges were correct. This representative said she would request the document and send to Complainant. The Respondent's representative also told the Complainant that after thirty (30) days it would be reported to credit and at this time Complainant paid the bill because she felt like she had no other choice.

Respondent stated in response that they have discussed this matter with the Complainant and mailed the documentation she requested. Respondent states that the charge in question had been reversed by the Respondent's client prior to placement with the Respondent and that the Complainant's account has not nor will be listed with any credit reporting agency.

Recommendation: Counsel recommends this matter be **dismissed**.

DECISION: The Board voted to accept the recommendation of legal counsel.

18. 2016064241

Status: Unlicensed
Disciplinary History: None

This complaint was filed by a consumer alleging that Respondent falsified court documents to obtain a default judgment against him. Respondent then used the default judgment to file for garnishment of Complainant's wages.

Respondent stated in response that his office is a law firm directly representing their client, a credit card company and not subject to the jurisdiction of the Tennessee Collection Service Board.

Recommendation: After review of the facts, Counsel recommends that this matter be **dismissed**, as Respondent is exempt under T.C.A. § 62-20-103(a)(3).

DECISION: The Board voted to accept the recommendation of legal counsel.

19. 201606411

Status: Active
First Licensed: 10/02/2014
License Expiration: 10/03/2018
Disciplinary History: None

This complaint was filed by a consumer alleging that Respondent did not provide an address for service of process and did not respond to a request for information regarding charges to Complainant's credit card account.

Respondent's response to the complaint provided a local address at which Complainant could submit future correspondence. Respondent further stated that they have closed Complainant's accounts and will have no further contact with Complainant.

Recommendation: Counsel recommends this matter be **dismissed**, due to no violation on behalf of the Respondent.

DECISION: The Board voted to accept the recommendation of legal counsel.

20. 2016063221

Status: Expired
First Licensed: 09/17/2014
License Expiration: 09/16/2016
Disciplinary History: None

This complaint was filed by a consumer claiming that a magazine company continues to bill him for magazines he did not order. On August 3, 2016, Respondent mailed Complainant a Notice of Assignment regarding the magazine orders. Complainant conveyed to Respondent on September 20, 2016, that the magazine charges were fraudulent.

Respondent stated that they received the account on August 1, 2016 and sent an assignment letter the following day. On September 20, 2016, one of Respondent's collectors contacted Complainant, and since the account was disputed, marked the account as cancelled, unworkable and returned it to their client.

Recommendation: Counsel recommends this matter be **dismissed**, due to no violation on behalf of the Respondent.

DECISION: The Board voted to accept the recommendation of legal counsel.

ADJOURNMENT

There being no other new business, Mr. Howard adjourned the meeting at 10:21 a.m.