



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

**Meeting Minutes for July 13, 2022
Davy Crockett Tower
Conference Room 1-B**

The Tennessee Collection Service Board met on July 13, 2022, in the first-floor conference room of the Davy Crockett Tower in Nashville, Tennessee. The following business was transacted:

BOARD MEMBERS PRESENT: Tony Zikovich, Gregg Swersky, Jason Hill and Laurie Hadwyn.

BOARD MEMBERS ABSENT: Chip Hellmann

STAFF MEMBERS PRESENT: Roxana Gumucio, Hugh Cross, and Robert Hunter

Director Gumucio introduced the newly appointed public member, Laurie Hadwyn.

CALL TO ORDER/ROLL CALL

Director Gumucio called the meeting to order at 9:30 a.m. and took roll, establishing that a physical quorum was present.

AGENDA

Mr. Gregg Swersky motioned to adopt the agenda as amended. This was seconded by Mr. Tony Zikovich. The motion passed unanimously.

APRIL MINUTES

Upon review of the minutes from April's meeting, Mr. Gregg Swersky motioned to accept them. This was seconded by Mr. Jason Hill. The motion passed unanimously.

DIRECTOR'S REPORT

Secretary

Director Gumucio asked for suggestions for the secretary position required by statute. Mr. Gregg Swersky motioned for Tony Zikovich to serve as secretary. This was seconded by Jason Hill. The motion passed unanimously.

NACARA Conference

Director Gumucio reviewed the draft agenda for NACARA 2022 conference to be held October 12th – 14th in Nashville. Members discussed a budget for goodie bags to be provided by the board. Mr. Gregg Swersky

motioned to allocate \$2,000 for expenses related to the conference speaker and goodie bags. This was seconded by Mr. Tony Zikovich. The motion passed unanimously.

Mr. Robert Hunter explained the session offered for industry members on Thursday, October 13th and the \$500 registration fee associated with attendance to the conference. Mr. Greg Swersky stated interest in attending the Thursday session. Mr. Jason Hill motioned to pay for up to three registrations to include one member, the Director and Mr. Hunter if they are available to attend. This was seconded by Mr. Tony Zikovich. The motion passed unanimously.

Budget Report

Director Gumucio provided a brief overview of the budget through May 2022. Director Gumucio noted that a general decline in revenue was coming from the decrease in licensees, as well as the termination of solicitor cards. Director Gumucio explained that at this time there was no need to be concerned due to the Board's healthy reserve status.

Mr. Swersky agreed that the industry is seeing agencies continuing to consolidate licenses or surrender them in some cases.

LEGAL

Legal Report (Presented by Hugh Cross)

NEW CASES

- 1. 2022016911**
Respondent:
License Status: Active
First Licensed: 10/20/2021
License Expiration: 10/19/2023
Disciplinary History: None

Summary: This consumer complaint alleges Respondent furnished incorrect information to credit reporting agencies. Respondent stated they cannot disassociate the account from the complainant based on the information available. The credit reporting agency with the incorrect personal information listed on Complainant's credit reports would likely be the more appropriate agency to file a dispute. Complainant also states Respondent refused to provide contact information for the skip tracing vendor Responded hired to find an updated mailing address for Complainant. Collection agencies are not required under statute or rule to provide consumers with information for third party vendors (e.g. a skip tracing vendor). Complainant also sought a mailing address for Respondent. A mailing address is provided in the response to the complaint, as well as provided in Complainant's credit report. There does not appear to be a violation.

Recommendation: Close.

BOARD DECISION: The Board accepted counsel's recommendation.

2. **2022019011**
Respondent:
License Status: Active
First Licensed: 10/20/2021
License Expiration: 10/19/2023
Disciplinary History: None

Summary: This consumer complaint alleges Respondent furnished incorrect information to credit reporting agencies. Respondent stated they cannot disassociate the account from the complainant based on the information available. The credit reporting agency with the incorrect personal information listed on Complainant's credit reports would likely be the more appropriate agency to file a dispute. Complainant also disputes a medical debt. Respondent submitted documentation that shows Complainant's medical debt resulted from emergency services. There does not appear to be a violation.

Recommendation: Close.

BOARD DECISION: The Board accepted counsel's recommendation.

3. **2022018071**
Respondent:
License Status: Active
First Licensed: 10/20/2021
License Expiration: 10/19/2023
Disciplinary History: None

Summary: This consumer complaint includes various legal and ethical demands for settlement of a disputed debt. The board cannot assist Complainant with legal action to obtain these demands. Complainant should seek advice from an attorney regarding the proper venue and proper course of action to seek the included settlement demands. It should be noted that the collection activity involved in this complaint occurred in the state of Kansas. Complainant also states Respondent did not contact Complainant regarding the debt owed. Respondent submitted documentation showing Complainant was contacted on multiple occasions. Complainant also states interest was added to their account. Respondent states interest is allowed under Kansas law. Counsel cannot confirm what is allowed under Kansas law. A complaint filed with the appropriate regulatory agency in Kansas is likely more appropriate to confirm whether collection activity occurred that violates Kansas rule or statute. Complainant also states they did not have an address for Respondent to file a written dispute. Respondent stated the information to file a written dispute was provided in telephone communications, as well as provided on the notices of debt mailed to Complainant. Respondent also provided information in the response to allow Complainant to file a written dispute. There does not appear to be a violation.

Recommendation: Close.

BOARD DECISION: The Board accepted counsel's recommendation.

4. **2022019341**
Respondent:
License Status: Active
First Licensed: 10/20/2021
License Expiration: 10/19/2023
Disciplinary History: None

Summary: This consumer complaint states that Respondent has not filed a Release of Judgment Lien with the appropriate court. Respondent provided documentation showing the Release was filed. This complaint seems to have been resolved. There does not appear to be a violation.

Recommendation: Close.

BOARD DECISION: The Board accepted counsel's recommendation.

5. **2022024831**

Respondent:

License Status: Active

First Licensed: 06/13/2013

License Expiration: 6/12/2023

Disciplinary History: None

Summary: This consumer complaint disputes the debt owed. Respondent provided documentation showing the debt is owed. However, Respondent states they have since closed the file and returned it to the original creditor. There does not appear to be a violation.

Recommendation: Close.

BOARD DECISION: The Board accepted counsel's recommendation.

Mr. Gregg Swersky made a motion to accept the legal report and recommendations as presented. This was seconded by Mr. Jason Hill. The motion passed unanimously.

NEW BUSINESS/ADJOURNMENT

2023 Meeting dates

Director Gumucio provided the 2023 board meeting dates. Mr. Jason Hill motioned to accept the dates as presented. This was seconded by Mr. Tony Zikovich. The motion passed unanimously.

There being no additional new business, Mr. Gregg Swersky made a motion to adjourn. This was seconded by Mr. Tony Zikovich. The motion passed unanimously. The meeting adjourned at 9:50 a.m.