

IN THE MATTER OF:

DT RECOVERY, INC., 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

SETTLEMENT AGREEMENT AND CONSENT ORDER

This Settlement Agreement and Consent Order (“Agreement”) is entered into this 31st day of August, 2015, by and between 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”), and DT Recovery, Inc. and Jennifer Ann Peterson (the “Respondents”). The Agency and the Respondents (“the Parties”) consent to the entry of this Agreement as a final resolution of this matter. All paragraphs below are intended to be part of the contractual obligations of the Parties hereto, so far as they may be so construed, and are not mere recitals to this Agreement.

1. Pursuant to Md. Code Ann., Com. Law § 12-631, the Commissioner is responsible for investigating and enforcing the provisions of the Retail Installment Sales Act (“RISA,” at Com. Law §§ 12-601 – 12-636).

2. Pursuant to the Maryland Collection Agency Licensing Act (“MCALA,” at Md. Code Ann., Bus. Reg. §§ 7-101 – 7-502), 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 other federal and State collection laws. As such, the Agency has jurisdiction over the repossession-related collections activities at issue in the present matter.

3. DT Recovery, Inc. (“DT Recovery”) is a business entity that was licensed in Maryland as a 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. At all times relevant to the facts set forth herein, Jennifer Ann Peterson owned, operated, and directed the business activities of DT Recovery, and the Respondents engaged in repossession-related collections activities.

4. On May 1, 2015, the Agency issued a Summary Order to Cease and Desist, Summary Suspension of Collection Agency License, and Order to Produce (the “Summary Order”) to the Respondents and to DTRecovery LLC and Dane Justin Petrovic, (collectively the “named persons”), in Case No. CFR-FY2012-065, wherein the Agency alleged that the named persons had violated certain provisions of RISA, MCALA, and the Maryland Consumer Debt Collection Act (“MCDCA,” at Com. Law §§ 14-201 – 14-204) pertaining to their repossession-related collections activities, and that the named persons had failed to

comply with subpoenas issued by the Agency and had otherwise failed to cooperate with an Agency investigation.

5. The Respondents wish to resolve the allegations without the need for an administrative hearing, thereby avoiding the costs associated with such hearing and any potential appeals, and therefore agree to resolve this matter fully, finally, and completely without an administrative hearing as set forth in this Agreement. Furthermore, Respondents accept without condition, and fully agree to abide by, each and every term and obligation set forth in this Agreement.

6. The Agency desires to ensure that Respondents will comply with all applicable statutes, regulations, and others laws governing collection activities in the State of Maryland, including complying with RISA, MCALA, and the MCDCA, and further wishes to avoid the costs to the taxpayers of an administrative hearing and any potential appeals.

7. Respondents represent the following: that they are currently in compliance with RISA, MCALA, the MCDCA, and all other federal and state laws governing collections activities in the State of Maryland, and that they will continue to act in compliance at all future times.

8. Respondents agree to take the following actions in exchange for a final resolution of the above-captioned matter:

a. Respondents will make a single lump sum payment of \$1,000.00 (ONE THOUSAND DOLLARS) in the form of a cashier's check or money order made payable to the "Commissioner of Financial Regulation" within 30 days of the date this Agreement is fully executed.

b. Respondents agree to fully cooperate with the Agency at all future times, and will promptly respond to any letters, subpoenas, or other correspondences received from the Agency. Further, Respondents will keep the Agency apprised of the Respondents' current contact information, including addresses, phone numbers, and email addresses, and will notify the Agency of any changes thereto.

9. Respondents acknowledge that they have voluntarily entered into this Agreement with full knowledge of their right to a hearing pursuant to Bus. Reg. § 7-309, pursuant to Fin. Inst. § 2-115, and pursuant to the Maryland Administrative Procedure Act – Contested Cases (at Md Code Ann., State Gov't § 10-201 *et seq.*), and that Respondents hereby knowingly waive their right to a hearing. Respondents further acknowledge that they have had an opportunity to consult with independent legal counsel in connection with their waiver of rights and with the negotiation and execution of this Agreement, and that Respondents have in fact consulted with independent legal counsel.

10. The Parties hereto agree that this Agreement shall be binding upon all Parties and enforceable in a court of competent jurisdiction by the Agency and by the Respondents, shall be admissible in court, if relevant, and shall be binding upon and inure to any of Respondent DT Recovery, Inc.'s present and future owners, principals, directors, officers, members, partners, managers, agents, successors, and assigns.

11. The Parties hereto acknowledge that this Agreement does not in any way relate to, impact, or otherwise effect the legal rights of, or preclude the Agency from bringing actions against, persons not Parties to this Agreement.

12. The Parties hereto agree that any notices hereunder shall be effectively "delivered" when sent via overnight delivery or certified mail as follows:

a. To the Agency:

Commissioner of Financial Regulation
500 North Calvert Street, Suite 402
Baltimore, Maryland 21202-3651
Attention: Keisha Whitehall Wolfe, Acting Deputy Commissioner

Copy to:

W. Thomas Lawrie, Assistant Attorney General
Office of the Attorney General
Department of Labor, Licensing, and Regulation
500 North Calvert Street, Suite 406h
Baltimore, Maryland 21202-3651

b. To the Respondents:

Jennifer Ann Peterson
708 Pulaski Highway, Suite B
Joppa, Maryland 21085

Copy to:

Kimberly A. Kline, Esq.
100 Church Lane, Suite 2A
Pikesville, Maryland 21208

NOW, THEREFORE, it is, by the Commissioner of Financial Regulation on behalf of the Agency, HEREBY

ORDERED that Respondents shall adhere to all terms of this Agreement, the violation of which shall constitute a violation of a Final Order of the Commissioner; it is further

ORDERED that, in the event the Respondents, or any of Respondent DT Recovery, Inc.'s successors or assigns, or any of Respondent DT Recovery, Inc.'s owners, principals, directors, officers, members, partners, managers, employees, or agents, violates any provision of this Agreement, or otherwise engages in the activities which formed the basis for the allegations, the Agency may, at the Agency's discretion, and subject to Respondents' right(s) to a hearing where applicable, take any enforcement actions available under Fin. Inst. § 2-115, State Gov't § 10-226(c)(2), and/or Bus. Reg. § 7-205, as well as take any other enforcement actions as permitted by, and in accordance with, applicable State law; and that such enforcement actions could include an order to cease and desist, civil money penalties of up to \$1,000 for a first violation and up to \$5,000 for each subsequent violation, and an order to provide restitution or to take other affirmative action to correct the violation; and it is further

ORDERED that this Agreement fully supersedes the Summary Order issued on May 1, 2015 as to the Respondents, and said Summary Order is no longer of any force or effect as of the date this Agreement is fully executed as to the Respondents only; and it is further

ORDERED that the Summary Order issued on May 1, 2015 remains in full force and effect as to DTRecovery LLC and Dane Justin Petrovic; and it is further

ORDERED that this matter shall be resolved in accordance with the terms of this Agreement and the same shall be reflected among the records of the Office of the Commissioner of Financial Regulation; and it is further

ORDERED that this document shall constitute a Final Order of the Commissioner, and that the Agency may consider this Agreement in connection with, and in deciding, any

action brought by or proceeding before the Agency; and that this Agreement may, if relevant, be admitted into evidence in any action brought by or proceeding before the Agency.

It is so **ORDERED**.

IN WITNESS WHEREOF, this Settlement Agreement and Consent Order is executed on the day and year first above written.

MARYLAND COMMISSIONER OF
FINANCIAL REGULATION; and

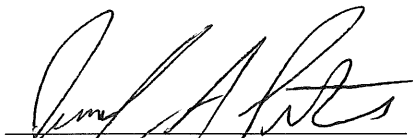
MARYLAND STATE COLLECTION
AGENCY LICENSING BOARD IN THE
OFFICE OF THE COMMISSIONER OF
FINANCIAL REGULATION

By: 

Keisha Whitehall Wolfe
Acting Deputy Commissioner

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

DT RECOVERY, INC.

By: 

Jennifer Ann Peterson,
Individually, and President,
DT Recovery, Inc.