

**IN THE MATTER OF:**

**NATIONAL PAYMENT RELIEF, LLC,**

**NPR CAPITAL, LLC**

**ALBERTO ARTASANCHEZ**

**and**

**ROSALIE BUCCI**

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-FY2014-0001

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**SETTLEMENT AGREEMENT AND CONSENT ORDER**

This Settlement Agreement and Consent Order (“Agreement”) is entered into and effective this 20<sup>th</sup> day of July 2015, by and between the Maryland Commissioner of Financial Regulation (the “Commissioner”) and the Maryland Collection Agency Licensing Board (the “Board”), and National Payment Relief, LLC d/b/ba Mortgage Relief – National Loan Services (“National Payment Relief”), NPR Capital, LLC (“NPR Capital”), Alberto Artasanchez, and Rosalie Bucci (collectively the “Respondents”). The Commissioner and the Board (collectively “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 the Maryland Collection Agency Licensing Act (Annotated Code of Maryland, Business Regulation Article (“BR”) § 7-201 *et seq.*), the Board is responsible

for licensing and regulating, *inter alia*, all collections agencies in the State of Maryland (the “State”).

2. Pursuant to the Maryland Mortgage Fraud Prevention Act (Annotated Code of Maryland, Real Property Article (“RP”) § 7-401 *et seq.*), the Commissioner has authority to bring an action for Mortgage Fraud committed in the State.

3. The Agency issued a Summary Order to Cease and Desist Summary Suspension of Respondent National Payment Relief’s Maryland Collection Agency License (the “Summary Order”) on December 18, 2014, alleging, in part, that Respondents violated the Maryland Collection Agency Licensing Act (“MCALA”), the Maryland Consumer Debt Collection Act (Annotated Code of Maryland, Commercial Law Article “CL” § 14-201, *et seq.*) (“MCDCA”), and the Maryland Mortgage Fraud Prevention Act (“MMFPA”).

4. In June 2013, [REDACTED] (“Consumer A”) filed a complaint with the Agency alleging that Respondents had been acting as a collection agency without a license and had conducted an illegal eviction at his home, located at [REDACTED] [REDACTED] (“the Property”) during their attempts to foreclose on his second mortgage. The Agency began an investigation which revealed the following:

a. On or about January 26, 2012, at a time when the loan was in default, National Payment Relief purchased the second lien mortgage on the Property.

b. On or about July 24, 2012, National Payment Relief sent Consumer A a Notice of Intent to Foreclose (NOI), as required by RP § 7-105.1(c). The NOI identified National Payment Relief as the secured party and FCI Lender Services, LLC (“FCI”), a Maryland licensed mortgage servicer (License No. 06-19752), as the servicer of Consumer

A's loan. A copy of the NOI was also filed with the Commissioner in accordance with COMAR 09.03.12.02.

c. National Payment Relief's representation in the NOI that FCI was servicing the loan was false. National Payment Relief never assigned Consumer A's loan to FCI for servicing, and all collections attempts were made by agents or employees of National Payment Relief

d. On September 28, 2012, counsel for National Payment Relief filed a foreclosure action against Consumer A's property in the Circuit Court for Frederick County, Maryland.

e. Beginning in early December 2012, Respondents Artasanchez and Bucci, acting on behalf of National Payment Relief, engaged in email conversations with Consumer A's authorized representative in which they tried to work out a loan modification for Consumer A. In those communications, Respondents Artasanchez and Bucci repeatedly attempted to collect on the debt owed by Consumer A.

f. On February 11, 2013, Respondent Bucci contacted a real estate agent at R and I Real Estate Services, Inc. t/a RE/MAX Results ("RE/MAX") and informed the agent that National Payment Relief was about to foreclose on the Property and was looking for a realtor to assist them in preparing the home for sale and putting the property on the market.

g. From February through May 2013, Respondents Bucci and Artasanchez, acting on behalf of National Payment Relief continued to contact the RE/MAX agent, requesting that she: arrange to have the Property re-keyed; prepare a Competitive Market Analysis for the Property; put a lockbox on the Property and provide the access code

to National Payment Relief; arrange for clean-out of the Property; keep an eye on the Property; advertise the Property for sale; list the Property in the Metropolitan Regional Information System; and show the Property to potential buyers. Throughout the course of these communications Respondents Bucci and Artasanchez repeatedly represented to the RE/MAX agent that National Payment Relief was the owner of the Property, and had that they the authority remove Consumer A's personal belongings from the Property and to list the Property for sale.

h. On March 12, 2013, the Property was sold at a foreclosure auction, at which National Payment Relief was the winning bidder.

i. On March 18, 2013 the auctioneer's Report of Sale was filed with the Circuit Court for Frederick County.

j. On May 16, 2013 agents of National Payment Relief conducted a "clean-out" of the Property in which they removed all of Consumer A's personal belongings and papers.

k. On May 17 2013, prior to any ratification of the sale by the Circuit court, counsel for National Payment Relief filed a Motion to Withdraw the Report of Sale in the foreclosure action.

l. On May 23, 2013, Consumer A filed a civil action against Respondents National Payment Relief, Artasanchez, and Bucci alleging various violations of Maryland law, including unlicensed debt collection.

m. In November 2013, National Payment Relief submitted to the Agency an application for a license for a collection agency branch office. National Payment Relief did not disclose the civil action filed by Consumer A on their license application. After

realizing that it had submitted a branch office application instead of an original office application, National Payment Relief withdrew the application.

n. In January 2014, National Payment Relief removed Consumer A's civil complaint from the Circuit Court for Frederick County to the United States District Court of Maryland.

o. On March 6, 2014, National Payment Relief applied for a Maryland collection agency license for an original office. Question number four (4) in the "Required Information" section of the application reads: "Have there been any criminal, civil, or administrative actions initiated against **You** by any state, governmental unit, or individual in the past 12 months?" (emphasis in original). National Payment Relief answered "No" in response to question number four.

p. On August 15, 2014, in reliance on the information provided by National Payment Relief in its license application, the Agency granted National Payment Relief a collection agency license (License No. 04-6844).

5. Respondents admit to these facts and further admit that their actions constitute violations of the MCALA, the MCDCA, and the MMFPA, and wish to resolve these violations without the need for further administrative proceedings or other legal proceedings, and to avoid the costs associated with such proceedings and any potential appeals, and therefore agree to resolve this matter fully, finally, and completely without an administrative hearing; further, Respondents accept without condition, and fully agree to abide by, each and every term set forth in this Agreement.

6. The Commissioner desires to ensure that Respondents will comply with all applicable statutes, regulations, and other laws governing Maryland collection agencies,

and further wishes to avoid the costs to the taxpayers of an administrative hearing and any potential appeals.

7. The Respondents agree to take each and every one of the following actions in exchange for a final resolution of all allegations made herein:

a. Respondent National Payment Relief, LLC agrees to surrender its Maryland Collection Agency License (License No. 04-6844) and to cease all business in Maryland for a period of not less than one (1) year.

b. All Respondents agree to cease all mortgage and debt collection related business in Maryland for a period of one (1) year or until properly licensed – whichever is later.

c. Before applying to become licensed again in Maryland as a collection agency or a mortgage lender the Respondents, or in the case of the Respondent business entities, the owners, managers, officers, and/or controlling persons of Respondents, will complete a minimum of twenty (20) hours of professional education on the laws governing mortgage lending, mortgage servicing, and residential foreclosure actions in the State of Maryland from a provide approved by the Commissioner.

d. Respondents agree to pay a \$5,000 civil penalty to the Commissioner by money order or certified check made payable to the Commissioner of Financial Regulation, to be delivered to the Commissioner within six (6) months of the execution of this Agreement.

e. Respondents agree to pay restitution to Consumer A in the amount of \$34,600 as follows:

i. Immediately upon execution of this agreement, Respondents will remit \$17,300 to Consumer A in the form of a Cashier's Check sent to his last known address, which is [REDACTED]. The refund shall be accompanied by a letter indicating that that the refund is being issued pursuant to a Settlement Agreement between the Respondent and the Commissioner of Financial Regulation, and that the Settlement Agreement does not in any way affect the consumer's legal rights. Respondent shall also send the Agency a copy of the letter and check sent to the consumer.

ii. Within six (6) months of the date of execution of this agreement, Respondents will remit \$17,300 to Consumer A in the form of a Cashier's Check sent to his last known address, which is [REDACTED]. The refund shall be accompanied by a letter indicating that that the refund is being issued pursuant to a Settlement Agreement between the Respondent and the Commissioner of Financial Regulation, and that the Settlement Agreement does not in any way affect the consumer's legal rights. Respondent shall also send the Agency a copy of the letter and check sent to the consumer.

8. Respondents acknowledge that they have voluntarily entered into this Agreement with full knowledge of their right to a hearing, arising from the allegations brought by the Agency pursuant to the Maryland Administrative Procedures Act (Annotated Code of Maryland, State Government Article ("SG") § 10-201 *et seq.*), and that Respondents hereby waive their right to a hearing.

9. Respondents further acknowledge that they have had an opportunity to consult with independent legal counsel in connection with the waiver of rights and with the

negotiation and execution of this Agreement, and that Respondents have either consulted with independent legal counsel or have knowingly and voluntarily elected not to consult with counsel.

10. Respondents represent that they are currently in compliance and will continue to act in compliance with all applicable statutes, regulations, and other laws governing Maryland consumer debt collection and residential foreclosures.

11. The Parties hereto agree that this Agreement shall be binding and enforceable in court by the Commissioner and by Respondents, shall be admissible in court, and shall be binding upon and inure to any of the Respondents' present and future owners, members, officers, employees, successors, and assignees.

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  
ATTN: Gordon M. Cooley, Acting Commissioner  
Copy to:  
Rebecca J. Coleman, Esq.  
Assistant Attorney General  
500 North Calvert Street, Suite 406  
Baltimore, Maryland 21202-3651
- b. To Respondents:  
  
Rosalie Bucci  
160 Canterbury Lane  
Bluebill, Pennsylvania 19422  
  
Alberto Artasanchez  
361 Lehigh Avenue  
Perth Amboy, New Jersey 08861



**NOW, THEREFORE**, it is, by the Maryland Collection Agency Licensing Board and the Maryland Commissioner of Financial Regulation, hereby

**ORDERED** that Respondents shall adhere to all terms of this Settlement Agreement and Consent Order; and it is

**ORDERED** that Respondents shall operate their business activities in full compliance with all statutes, regulations, and other laws governing consumer debt collection and residential foreclosures in the State of Maryland, and shall continue to act in full compliance at all future times; and it is further

**ORDERED** that, in the event Respondents, or any of the owners, principals, directors, officers, managers, members, employees, agents, or assignees of Respondents, violate any provision of this Settlement Agreement and Consent Order, or otherwise engage in the activities which formed the basis for the allegations set forth above, the Agency may, at the Agency's discretion, take any enforcement actions available under FI §§ 11-517 and 11-615, and FI § 2-115(b), 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 \$5,000 for each violation and up to \$5,000 for each subsequent violation, an order to provide restitution of money or property to any aggrieved persons, an action for relief in Maryland Circuit Court, and/or referral for possible criminal prosecution; and it is further

**ORDERED** that this matter shall be resolved in accordance with the terms of this Settlement Agreement and Consent Order 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 Maryland Collection Agency Licensing Board and the Maryland Commissioner of Financial Regulation and, that both the Board and the Commissioner may consider this Settlement Agreement and Consent Order and the facts set forth herein in connection with, and in deciding, any subsequent action or proceeding before the Board or the Commissioner; and that this Settlement Agreement and Consent Order may, if relevant, be admitted into evidence in any matter before the Board or the Commissioner.

It is so **ORDERED**.

**IN WITNESS WHEREOF**, this Settlement Agreement and Consent Order is executed and effective 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

NATIONAL PAYMENT RELIEF, LLC

AND

NPR CAPITAL, LLC

By: 

Alberto Artasanchez  
Individually and  
on Behalf of All Respondent  
Business Entities

By: 

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

By: 

Rosalie Bucci  
Individually and  
on Behalf of All Respondent  
Business Entities