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**IN THE MATTER OF:** \*  
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**AMERIFINANCIAL SOLUTIONS, LLC** \*  
**NMLS # 1142710** \*  
\*  
**(“AFS”)** \*  
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**CONSENT ORDER**

**WHEREAS**, the Banking Commissioner (“Commissioner”) is charged with the administration of Part XII of Chapter 669, Sections 36a-800 to 36a-814, inclusive, of the Connecticut General Statutes, “Consumer Collection Agencies”, and the regulations promulgated thereunder, Sections 36a-809-6 to 36a-809-17, inclusive, of the Regulations of Connecticut State Agencies;

**WHEREAS**, AFS is a North Carolina limited liability company with an office at 300 Redland Court, Owings Mills, Maryland;

**WHEREAS**, AFS was licensed to act as a consumer collection agency in this state until its license expired on January 1, 2017;

**WHEREAS**, on May 24, 2017, AFS filed a new application for licensure as a consumer collection agency, but on October 4, 2017, the application was deemed abandoned;

**WHEREAS**, AFS is not currently licensed to act as a consumer collection agency in Connecticut;

**WHEREAS**, on or about February 26, 2018, the Department of Banking received a consumer complaint in connection with AFS;

**WHEREAS**, the Commissioner, through the Consumer Credit Division (“Division”), has investigated the activities of AFS pursuant to Section 36a-17 of the Connecticut General Statutes, as

amended by Public Act 18-173, to determine if it had violated, was violating or was about to violate the provisions of the Connecticut General Statutes and Regulations within the Commissioner's jurisdiction;

**WHEREAS**, as a result of the investigation, the Commissioner alleges that between January 1, 2017 and April 12, 2018, AFS acted as a consumer collection agency without the requisite license, in violation of Section 36a-801(a) of the Connecticut General Statutes or Section 36a-801(a) of the 2018 Supplement to the General Statutes;

**WHEREAS**, the Commissioner believes that such allegation would support the initiation of enforcement proceedings against AFS, including, without limitation, proceedings to issue a cease and desist order against AFS pursuant to Section 36a-804(b) of the Connecticut General Statutes, as amended by Public Act 18-173, and Section 36a-52(a) of the 2018 Supplement to the General Statutes, and impose a civil penalty of up to one hundred thousand dollars (\$100,000) per violation upon AFS pursuant to Section 36a-804(b) of the Connecticut General Statutes, as amended, and Section 36a-50(a) of the 2018 Supplement to the General Statutes;

**WHEREAS**, initiation of such enforcement proceedings would constitute a "contested case" within the meaning of Section 4-166(4) of the Connecticut General Statutes;

**WHEREAS**, Section 4-177(c) of the Connecticut General Statutes and Section 36a-1-55(a) of the Regulations of Connecticut State Agencies provide that a contested case may be resolved by consent order, unless precluded by law;

**WHEREAS**, both the Commissioner and AFS acknowledge the possible consequences of formal administrative proceedings, and AFS voluntarily agrees to consent to the entry of the sanctions imposed below solely for the purpose of obviating the need for formal administrative proceedings concerning the allegation set forth herein;

**WHEREAS**, the Commissioner and AFS now desire to resolve the matters set forth herein;

**WHEREAS**, AFS herein represents to the Commissioner that all consumer collection activities in this state will be performed pursuant to the applicable licensure requirements for consumer collection agencies;

**WHEREAS**, AFS specifically assures the Commissioner that the violation alleged herein shall not occur in the future;

**WHEREAS**, AFS acknowledges that this Consent Order is a public record and is a reportable event for purposes of the regulatory disclosure questions on the Nationwide Multistate Licensing System and Registry (“NMLS”), as applicable;

**AND WHEREAS**, AFS, through its execution of this Consent Order, voluntarily agrees to waive its procedural rights, including a right to a notice and an opportunity for a hearing as it pertains to the allegation set forth herein, and voluntarily waives its right to seek judicial review or otherwise challenge or contest the validity of this Consent Order.

#### **CONSENT TO ENTRY OF SANCTIONS**

**WHEREAS**, AFS, through its execution of this Consent Order, consents to the Commissioner’s entry of a Consent Order imposing the following sanctions:

1. AFS shall remit to the Department of Banking by wire transfer, cashier’s check, certified check or money order made payable to “Treasurer, State of Connecticut”, the sum of Ten Thousand Dollars (\$10,000) as a civil penalty in two equal installments as follows: (a) the first payment of Five Thousand Dollars (\$5,000) shall be remitted no later than the date this Consent Order is executed by AFS; and (b) a second and final payment of Five Thousand Dollars (\$5,000) shall be remitted no later than February 28, 2019;
2. No later than the date this Consent Order is executed by AFS, it shall remit to the Department of Banking by wire transfer, cashier’s check, certified check or money order made payable to “Treasurer, State of Connecticut”, the sum of Four Hundred Dollars (\$400) for back licensing fees; and
3. AFS shall not act as a consumer collection agency in Connecticut without a license, in violation of Section 36a-801(a) of the Connecticut General Statutes.

## CONSENT ORDER

**NOW THEREFORE**, the Commissioner enters the following:

1. The Sanctions set forth above be and are hereby entered;
2. Upon issuance of this Consent Order by the Commissioner, this matter will be resolved and the Commissioner will not take any future enforcement action against AFS based upon the allegation contained herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against AFS based upon a violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms herein is not being observed or if any representation made by AFS and reflected herein is subsequently discovered to be untrue;
3. AFS shall not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any allegation referenced in this Consent Order or create the impression that this Consent Order is without factual basis;
4. Subject to the foregoing, and so long as this Consent Order is promptly disclosed by AFS and its control persons on NMLS, as applicable, nothing in the issuance of this Consent Order shall adversely affect the ability of AFS to apply for or obtain an initial license or renewal license under Part XII of Chapter 669, Sections 36a-800 to 36a-814, inclusive, of the Connecticut General Statutes, provided that all legal requirements for such licenses are satisfied and the terms of this Consent Order are being followed;
5. This Consent Order shall be binding on AFS and its successors and assigns; and
6. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut  
this 9th day of May 2019.

\_\_\_\_\_/s/\_\_\_\_\_  
Jorge L. Perez  
Banking Commissioner

I, Elizabeth A. Miller, state on behalf of AmeriFinancial Solutions, LLC, that I have read the foregoing Consent Order; that I know and fully understand its contents; that I am authorized to execute this Consent Order on behalf of AmeriFinancial Solutions, LLC; that AmeriFinancial Solutions, LLC agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that AmeriFinancial Solutions, LLC voluntarily agrees to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

By: \_\_\_\_\_/s/\_\_\_\_\_  
Name:  
Title:  
AmeriFinancial Solutions, LLC

State of: Maryland

County of: Baltimore

On this the 22 day of January 2019, before me, Mary Lupton Cupp, the undersigned officer, personally appeared Elizabeth Miller who acknowledged himself/herself to be the CEO of AmeriFinancial Solutions, LLC, a member managed/manager managed limited liability company, and that he/she as such CEO, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself/herself as CEO.

In witness whereof I hereunto set my hand.

\_\_\_\_\_/s/\_\_\_\_\_  
Notary Public  
Date Commission Expires: 12-10-22