



CONNECTICUT DEPARTMENT OF BANKING

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Howard F. Pitkin
Commissioner

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IN THE MATTER OF: *
 *
LAW OFFICES OF *
ANDREA LOVELESS, LLP *
d/b/a THE LAW OFFICES OF *
ANDREA S LOVELESS * **CONSENT ORDER**
a/k/a AMERICA FINANCIAL LAW *
GROUP, A PROFESSIONAL LAW *
CORPORATION *
 *
("Loveless") *
 *
 ***** *

WHEREAS, the Banking Commissioner ("Commissioner") is charged with the administration of Sections 36a-671 to 36a-671e, inclusive, of the 2012 Supplement to the General Statutes contained in Part II of Chapter 669 of the Connecticut General Statutes, "Debt Adjusters and Debt Negotiation";

WHEREAS, Loveless is a purported California limited liability partnership with an office at 1 Spectrum Pointe, Suite 300, Lake Forest, California;

WHEREAS, the Commissioner, through the Consumer Credit Division of the Department of Banking ("Department"), conducted an investigation pursuant to Section 36a-17(a) of the 2012 Supplement to the General Statutes into the activities of Loveless to determine if it had violated, was violating or was about to violate the provisions of the Connecticut General Statutes within the jurisdiction of the Commissioner;

WHEREAS, as a result of such investigation, on July 20, 2012, the Commissioner, acting pursuant to Section 36a-52(b) of the Connecticut General Statutes, Section 36a-671a(b) of the 2012 Supplement to the General Statutes and Sections 36a-671a(c), 36a-52(a) and 36a-50(a) of the Connecticut General Statutes, issued a Temporary Order to Cease and Desist, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing against Loveless ("Notice"), which Notice is incorporated by reference herein;

WHEREAS, on July 23, 2012, the Notice was mailed to Loveless by certified mail, return receipt requested (Certified Mail Nos. 70110470000225730096, 70110470000225730102 and 70110470000225730409);

WHEREAS, on July 25, 2012, Loveless received the Notice sent by Certified Mail No. 70110470000225730409; on July 30, 2012, Loveless received the Notice sent by Certified Mail No. 70110470000225730096; on August 1, 2012, the Notice sent by Certified Mail No. 70110470000225730102 was returned to the Department marked "Return to Sender - Attempted Not Known - Unable to Forward"; and no request for a hearing has been received by the Commissioner;

WHEREAS, the Notice alleged that Loveless engaged in debt negotiation in this state without obtaining the required license, which constitutes a violation of Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2011. Such violation forms the basis to issue an order to cease and desist pursuant to Section 36a-671a(b) of the 2012 Supplement to the General Statutes and Section 36a-52(a) of the Connecticut General Statutes, and impose a civil penalty pursuant to Section 36a-671a(b) of the 2012 Supplement to the General Statutes and Section 36a-50(a) 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, the Commissioner and Loveless now desire to resolve the matters alleged in the Notice and set forth herein;

WHEREAS, Loveless voluntarily agrees to consent to the entry of the sanctions described below without admitting or denying any allegation contained in the Notice and set forth herein and solely for the purpose of obviating the need for further formal administrative proceedings concerning the allegation contained in the Notice and set forth herein;

WHEREAS, by letter dated July 30, 2012, Loveless represents that as of February 2010, Loveless ceased and desisted from engaging or offering to engage in debt negotiation in this state;

WHEREAS, as of October 30, 2011, Respondent had refunded \$750 to one of the Connecticut residents listed in Exhibit A attached hereto, and had refunded \$1,500 to the other Connecticut resident listed in Exhibit A attached hereto;

WHEREAS, Loveless herein represents that it is not aware of any additional Connecticut clients other than those noted in Exhibit A attached hereto, who had retained Loveless for debt negotiation services since October 1, 2009;

WHEREAS, Loveless herein represents that the alleged violation contained in the Notice and set forth herein shall not occur in the future;

WHEREAS, Loveless agrees that the Notice may be used in construing the terms of this Consent Order and agrees to the language of this Consent Order;

AND WHEREAS, Loveless, through its execution of this Consent Order, voluntarily agrees to waive its procedural rights, including a right to a hearing as it pertains to the allegation contained in the Notice and 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, Loveless, through its execution of this Consent Order, consents to the Commissioner's entry of a Consent Order imposing the following sanctions:

1. No later than the date this Consent Order is executed by Loveless, Loveless shall remit to the Department of Banking by cashier's check, certified check or money order made payable to "Treasurer, State of Connecticut", the sum of Five Hundred Dollars (\$500) as a civil penalty;
2. Loveless shall immediately cease and desist from engaging or offering to engage in unlicensed debt negotiation activity in Connecticut, in violation of Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2011; and
3. No later than November 30, 2012, Loveless shall repay the balance of fees paid by the Connecticut residents identified in Exhibit A by cashier's check, certified check or money order; and shall promptly provide satisfactory evidence of such repayments to: Carmine Costa, Division Director, Consumer Credit Division, Department of Banking, 260 Constitution Plaza, Hartford, Connecticut 06103-1800, or carmine.costa@ct.gov.

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 Loveless 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 Loveless 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 Loveless and reflected herein is subsequently discovered to be untrue; and
3. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut
this 11th day of October 2012.

_____/s/_____
Howard F. Pitkin
Banking Commissioner

I, Andrea S. Loveless, state on behalf of Law Offices of Andrea Loveless, LLP d/b/a The Law Offices of Andrea S Loveless a/k/a America Financial Law Group, a Professional Law Corporation, 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 Law Offices of Andrea Loveless, LLP d/b/a The Law Offices of Andrea S Loveless a/k/a America Financial Law Group, a Professional Law Corporation; that Law Offices of Andrea Loveless, LLP d/b/a The Law Offices of Andrea S Loveless a/k/a America Financial Law Group, a Professional Law Corporation agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that Law Offices of Andrea Loveless, LLP d/b/a The Law Offices of Andrea S Loveless a/k/a America Financial Law Group, a Professional Law Corporation 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: Andrea S. Loveless
Title: Partner
Law Offices of Andrea Loveless, LLP
d/b/a The Law Offices of Andrea S. Loveless
a/k/a America Financial Law Group,
a Professional Law Corporation

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