



CONNECTICUT DEPARTMENT OF BANKING

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Jorge Perez
Commissioner

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IN THE MATTER OF: *
 *
THE CONSUMER LAW GROUP, P. A. * CONSENT ORDER
 *
("Consumer Law Group") *
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WHEREAS, Consumer Law Group is a Florida corporation with a place of business at 23123 US 441, Suite 235, Boca Raton, Florida;

WHEREAS, Consumer Law Group has never been licensed as a debt negotiator in Connecticut;

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

WHEREAS, the Commissioner, through the Consumer Credit Division ("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 Consumer Law Group 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, on May 18, 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-52(a) and 36a-50(a) of the Connecticut General Statutes, issued a Temporary Order to Cease and Desist ("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 (collectively "Notice") against Consumer Law Group, which Notice is incorporated herein by reference;

WHEREAS, on May 21, 2012, the Notice was sent by certified mail, return receipt requested, to Consumer Law Group (Certified Mail No. 7011200000247358352) and to Consumer Law Group's registered agent (Certified Mail No. 7011200000247358369);

WHEREAS, on May 24, 2012, Consumer Law Group and its registered agent each received the Notice;

WHEREAS, the Notice provided Consumer Law Group with the opportunity for a hearing, and stated that if a hearing was not requested by Consumer Law Group within 14 days of Consumer Law Group's receipt, the Commissioner would issue an order that Consumer Law Group cease and desist from violating Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2011, may issue an order of repayment of fees, and may order a civil penalty in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation be imposed upon Consumer Law Group;

WHEREAS, on June 5, 2012, Consumer Law Group requested a hearing, which hearing is currently subject to an open-ended continuance;

WHEREAS, the Commissioner alleged in the Notice, with respect to the activity described therein, that Consumer Law Group engaged in debt negotiation in this state without obtaining the required license, in violation of Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2011;

WHEREAS, as part of the Temporary Order to Cease and Desist, the Commissioner ordered, pursuant to Section 36a-52(b) of the Connecticut General Statutes and Section 36a-671a(c) of the 2012 Supplement to the General Statutes, that not later than 10 days from receipt of the Notice, Consumer Law Group shall provide repayment of \$2,166.99 to an identified Connecticut resident and provide repayment of all fees received from certain other identified Connecticut residents by cashier's check, certified check or money order, and provide to Carmine Costa, Director of the Division, evidence of such repayments and a list of all Connecticut residents with whom it has entered into agreements for debt negotiation services to date where such agreements were entered into on and after October 1, 2009, including (a) a copy of each agreement pursuant to which Consumer Law Group provided or was providing debt negotiation services, and (b) each debtor's name and address, and full itemization of each debtor's payments made pursuant to the agreement, specifying the dates, amounts and to whom such payments were made;

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 Consumer Law Group now desire to resolve the matters alleged in the Notice and set forth herein;

WHEREAS, Consumer Law Group voluntarily agrees to consent to the entry of the sanctions described below without admitting 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, on May 22, 2015, the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, approved and entered a Stipulated Consent Final Judgment ("Final Judgment") concerning a lawsuit bearing case number 2011CA000567MB between Consumer Law Group, among others, and the Office of the Attorney General, Department of Legal Affairs, State of Florida;

WHEREAS, Consumer Law Group herein represents to the Commissioner that on or about May 22, 2015, Consumer Law Group no longer engaged or offered to engage in debt negotiation in Connecticut or took on any new Connecticut-based clients for debt negotiation matters as mandated by the Final Judgment;

WHEREAS, Consumer Law Group represents to the Commissioner that the Final Judgment has created an economic hardship on Consumer Law Group such that it is financially incapable of paying any civil penalty that otherwise would have been imposed on it or repaying fees paid to it by Connecticut residents;

WHEREAS, Consumer Law Group herein represents to the Commissioner that it is not currently aware of any additional Connecticut residents other than the Connecticut residents identified in Exhibit A attached hereto, who had retained Consumer Law Group for debt negotiation services on or after October 1, 2009;

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

WHEREAS, Consumer Law Group, 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;

AND WHEREAS, Consumer Law Group specifically assures the Commissioner that the alleged violation in the Notice and set forth herein shall not occur in the future.

CONSENT TO ENTRY OF SANCTIONS

WHEREAS, Consumer Law Group, through its execution of this Consent Order, consents to the Commissioner's entry of a Consent Order imposing the following sanctions:

- Consumer Law Group shall immediately cease and desist from violating Section 36a-671(b) of the Connecticut General Statutes;
- Consumer Law Group shall not affect any change in form of doing business or the organizational identity of any existing business entities or create any new business entities as a method of avoiding the terms and conditions of this Consent Order;
- Commencing on the date this Consent Order is issued by the Commissioner, Consumer Law Group and any successor in interest shall be **BARRED** from engaging or offering to engage in debt negotiation in this state or acting in any other capacity which requires a license or registration from the Commissioner;
- Consumer Law Group or any successor in interest may, for good cause shown, request that the Commissioner relieve it of the bar contained in paragraph 3 above by submitting a written application to the Commissioner setting forth the basis of the request. The Commissioner shall review the request and may, in his discretion, grant, deny or condition the relief sought pursuant to this paragraph; and
- Should Consumer Law Group or any successor in interest make a request for relief from the bar, as permitted by paragraph 4 above, the Commissioner shall not issue an order granting any relief under the bar unless Consumer Law Group has provided satisfactory evidence of full restitution to the Connecticut debtors and the refunds they are due, as set forth in Exhibit A.

CONSENT ORDER

NOW THEREFORE, the Commissioner enters the following:

- The sanctions set forth above be and are hereby entered;
- 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 Consumer Law Group based upon the allegation contained in the Notice and set forth herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against Consumer Law Group 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 Consumer Law Group and reflected herein is subsequently discovered to be untrue;
- In the event of nonperformance or violation by Respondent of any term or condition set forth in this Consent Order, including, without limitation, Respondent's obligation to not perform any activities within the jurisdiction of the Commissioner in accordance with paragraph 3 of the Consent to Entry of Sanctions above, Respondent consents to the immediate entry and imposition of a civil penalty in the amount of Ten Thousand Dollars (\$10,000), knowingly, willfully and voluntarily waiving its right to notice and an administrative hearing in conjunction therewith, and the allegation in the Notice shall be deemed admitted. Any modification or reduction of the restrictions set forth in paragraph 3 of the Consent to Entry of Sanctions above absent prior written authorization from and prior review by the Commissioner shall be construed as a violation of this Consent Order; and
- This Consent Order shall become final when issued.

Issued at Hartford, Connecticut
 this 3rd day of March 2016.
 _____/s/
 Jorge L. Perez
 Banking Commissioner

I, Michael Metzner, state on behalf of The Consumer Law Group, P.A., 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 The Consumer Law Group, P.A.; that The Consumer Law Group, P.A. agrees freely and without threat or coercion of any kind to comply with the provisions of this Consent Order; and that The Consumer Law Group, P.A. 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: Michael Metzner
 Title: President
 The Consumer Law Group

State of: Florida
 County of: Broward

On this the 23rd day of February 2016, before me, Nora Carmona, the undersigned officer, personally appeared Michael Metzner who acknowledged himself to be the President of The Consumer Law Group, P.A., a corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

In witness whereof I hereunto set my hand.

_____/s/
 Notary Public
 Date Commission Expires: June 28, 2016

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