

Professional

REPOSSASSOR™

A Magazine for the Professional Recovery Industry

ANOTHER GREAT CONFERENCE BY RSIG AND ALLIED IS IN THE BOOKS!



The biggest educational event for the recovery industry this year thanks to the collaboration of three great groups RSIG, Allied, and Eagle Group came together in Las Vegas.

**EVENT
PICS
INSIDE**

Allied RSIG announces their next meeting in Orlando Florida returning to the pre COVID-19 Time line June 2022.



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Wade S. Argo
President, AFA

A Letter from the Allied Finance Adjusters President

Hello and welcome to Professional Repossessor Magazine.
This complimentary magazine is provided by
Allied Finance Adjusters Conference Inc.

Moving Forward

Another year of conventions, zoom meetings and get-togethers has quickly come to an end for the Repossession industry. 2021, just like 2020, has proven to be a challenge for the repossession company owners that have fought valiantly to overcome the challenges that COVID-19 threw at them. Sadly, many companies who struggled were forced to close their doors due to lack of work as well as the onslaught of legislative actions forced upon them. The lenders that all of us as owners count on to keep the doors open and the bills paid also threw caution to the wind and stopped sending repossession orders over cutting off the life blood to agencies and speeding up their demise.

Unfortunately, we all have lost friends and colleagues who have closed their doors due to COVID and the increased pressures placed on them by the political wrangling taking place within our government.

For this reason, I believe that the new crop of rumors that have suddenly developed within our industry is disgraceful and disrespectful. This is a time when, as owners, we should be looking for common ground and set aside the petty bickering and work as a team to keep this industry alive.

I have visited with individuals that will look you in the eye and agree with a concept to overcome a problem, whether it be declining fees due to middlemen taking their portion of your livelihood, or any one of the many other issues plaguing this industry. We sit in round-table sessions, attend zoom meetings, and go to conventions where we listen to experts explain the problems as well as the solutions. We all sit there and nod our heads in agreement, yet we go home and return to our set ways with the attitude that someone else will deal with it or the problems will simply go away. And when the issues don't go away, and they escalate into a nonstop train wreck, we start pointing fingers at each other and the animosity grows.

It seems the latest trend is to form a little group and use one of the trade associations as a foundation to push an agenda. I also heard the other day that company owners that are in their thirties are the foundation of the repo industry. This may be true, however there are still hundreds of veteran owners who have an equal amount of drive to keep this industry alive and many years of knowledge that, combined with fresh new ideas, would be an unstoppable force to get our industry back on track. If all of us would come together, and set the animosity aside – can you imagine the team that could be formed as an undivided front?

Continued on page 5



Allied Executive Committee 2021

Wade Argo *President*

Argo Management Group, Inc.
Coal Valley, IL

Barbara Scheele *Past President*

Sun West Recovery, Inc.
Fort Meyers, FL

George Badeen *First Vice President*

Midwest Recovery and Adjustment Inc.
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Tomas Aponte Rodriguez *Second Vice President*

Isla Repossessions & Collections, Inc.
Caguas, PR

Kayihan Seran *Executive Secretary*

Northland Recovery Bureau
Minneapolis, MN

Kurt Schwebe *Treasurer*

Badgerland Auto Recovery, Inc.
Milwaukee, WI

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Email: prm@alliedfinanceadjusters.com

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A Letter from the President Continued

Respect each other, listen to new ideas from the younger generation, and talk to the veterans. You might be surprised to find out that you are both on the same page, just with different ways and ideas to get to the same goal.

It's time to stop the petty arguing, get over the hurt feelings, forget about the past, and use the tools we all have before us to start rebuilding the industry. It's time to work as a team and find solutions to the many issues that have infected this industry.

We don't need to agree with everyone's methods; however, we need to applaud and support their efforts in the same way we would expect them to support the efforts of others.

Once upon a time, there were four industry associations, each with its own path and personality and agency owners were frequently members of two or more. Minor criticisms between each other was occasional, but because of the multiple membership crossover of owners, there was a greater mutual respect and camaraderie within the industry. With diminishing membership counts, there were mergers and this crossover between associations came to an end and the divisions grew to the point that we were weakened and became easy prey for those wishing to take advantage of us. This same mutual respect and camaraderie must be reclaimed by all in this industry if we are to survive and prosper beyond these difficult times.

As the result of the pandemic and sluggish repossession assignment volumes, Allied Finance Adjusters, like our other peer associations, have experienced the same struggles in membership growth and event attendance. As proud stewards of our now 85-year-old association, we continue to hold watching our operating expenses as a paramount strategy in assuring that we will continue to be there to celebrate our one-hundredth. Remember, our association was founded in the aftermath of the Great Depression, survived the four-year halt of auto production and lending during World War II and only grew stronger in the aftermath. I firmly believe that our best years are yet to come.

As President of Allied I have dedicated myself to building new relationships, cultivating current relationships and rebuilding old relationships. It's important to realize that Allied members are my family and I take being president very seriously. Being President is an honor to me, but I am nothing without my Allied family. And please note, I will do anything needed to help with their growth.

Let's move forward people! Let's show lenders and anyone else that asks that this industry is strong. We may not always agree on the methods used, but We must come together as a United Front, or this industry is going to continue down a very rocky road.

Wade S. Argo



COVID Takes Another Friend and Agency Owner – Gino Polsinelli



Gene A. "Gino" Polsinelli, 65, of Springdale, PA passed away unexpectedly of COVID on Monday, Sept. 6, 2021. Gino was the owner of G & R Recovery in Pennsylvania and a member of the Allied Finance Adjusters. Gino served as a board member of Allied Finance Adjuster Conference Inc., and on Several Committees. Gino was a fun guy and I will always remember our night with him and his wife in Las Vegas a couple of years ago. My heart and prayers go out to him and his wife Becky.



He was born Nov. 26, 1955, to his parents, Gino and Ruth Myers Polsinelli, and was a lifelong resident of the Valley. He was a devoted husband, loving uncle and proud to have served Springdale as both a police officer and council member.

Gino will be remembered by those who love him as a car enthusiast, pizza connoisseur, and a man who loved his community. Surviving him are the love of his life, Becky Luther Polsinelli; the son he never had, Kyle (Cat) Charpie; his sister, Sue Salvay; as well as many nieces and nephews.



Helping fallen repossessioners and their families since 2002 with over \$495,000 distributed to date. Will you support us in supporting the repossession industry?
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COMPETITIVELY PRICED REPOSSESSION INSURANCE BROKER

The Van Pelt Insurance Agency concentrates on writing commercial repossession insurance. Our repossession insurance policies are written with an **A rated** carrier that has over 20 years of experience within this specialized industry and their insurance program incorporates all the major coverages that are offered by the other notable carriers such as Amtrust, Clear Blue, and Conifer.

Coverages available to our recovery customers are as follows: General Liability including wrongful repossession/errors & omissions, drive-away, cargo/on-hook for repossessed vehicles, and an employee crime/dishonesty bond, Commercial Auto Liability with cargo/on-hook for TOWING, un-insured/under-insured motorist protection, personal injury protection/medical payments, physical damages, and hired/non-owned consideration, Garage Keepers involving direct primary of wind/hail/flood with your specific, desired limits per lot location, Commercial Property such as camera equipment, buildings, etc., and optional Cyber Liability, Umbrella/Excess Liability, and Employment Practices Liability if requested/required.

Our agency firmly stands behind 3 fundamental business practices, and that is consistency, honesty, and reliability. We promise you that our rates will be extremely steady if there are no large, significant claims involved and/or a recurring number of small claims being reported. We pledge to treat every client fairly and vow to be hassle-free when it comes to asking for your renewal quotes, loss runs, COI's, etc.

We understand and appreciate the fact that it is not just about finding the most affordable policy, but about taking care of the customer's unique needs and doing what is best for each client based on their current circumstances. We take great pride in our customer service and our reputation is proof of this guiding principle.

To review your insurance and see how much money we can save you on your insurance, please contact Bill Van Pelt directly at (832) 730-2375 or you can send an email to bill@vanpeltagency.com.



Allied supports State Associations

CRAI – Collateral Recovery Association of Illinois

CONTACT: 225 Middle Ave., Aurora, IL 60506, Reposunl@yahoo.com • 630-340-5642



The Collateral Recovery Association of Illinois has been created in order to:

- To promote and enhance positive working relationships among professional recovery firms throughout the state.
- To establish a reliable platform by which industry specific information is openly accessible to all operators in the recovery field.
- To continually evolve as the industry expands through the process of education and innovative thought.
- To encourage an industry consistency, validated by the merits of integrity in the business and honesty in practice.

Our goal is to establish a problem-solving desk for any issues the Illinois that recovery firms may encounter in renewing the Collateral Recovery license or tickets that may have been issued for violations. We will also have an open door for all Illinois Repossession companies for their issues and ideas for improvements. We also will ask different vendors to come and show their latest equipment and tools.

We aim to make this an organization that all Illinois Repossession Companies will be proud to be a member.

Please contact **John Fiorelli 630-340-5642** for more information.

California Association of Licensed Repossessors (CALR)

History has shown that many states in our nation adopt the laws passed in California.

Become a CALR Supporter or Member Today!

Visit www.CALR.org for more information or call 818-945-CALR (2257)

Marcelle Egley - President



CALR Honored Chuck Cowherd and Mike Reiter at the 57th Annual Convention at Knott's Berry Farm. Chuck and Mike have given of their time and money selflessly for years to support CALR and the industry. We are forever grateful for them. This was Mike's last rodeo as he is retiring. The Marine Corp was on hand to collect Toys for Tots donations from vendors and attendees. Allied Finance Adjusters President Wade Argo and Membership Chair worked the vendor booth for AFA.



Carolina Finance Adjusters (CFA)

The Carolina Finance Adjusters Association(CFA) has accepted your request to bring together all who are involved in the business of recovering collateral for the lending industry in South Carolina. Our mission is to bring together recovery agents and their clientele, appropriate government agencies and regulatory authorities in hopes of improving the professionalism of collateral repossession as an honorable profession and to improve the image of those who work within the industry.

Become a CFA Supporter or Member Today!

For more information www.carolinafinanceadjusters.org or call 843-760-0520

Scott Chambers - President

Georgia Association of Licensed Repossessors (GALR)

We invite everyone to join, your voice matters, and we need your support as a member to fulfill this grand vision to bring back the level of professionalism this industry deserves.

Please let me know if you have ideas you want to be heard or discussed.

Contact us at Office@GALR.org or call 888-425-7324.

John Newberry - President



Allied supports State Associations

Massachusetts Association of Professional Recovery Agents (MAPRA)

Repossession volumes are up, but we are still operating lean.

"We believe that working together we can make change. One united voice for the betterment of our industry in Massachusetts and surrounding states."

Become a MAPRA Supporter or Member Today!

Contact us at info@mapra.org or call 508-930-2106.

Wendy Sousa - President



Michigan Association of Repossession Agencies (MARA)

Repossession volumes are up, but we are still operating lean.

Become a MARA Supporter or Member Today!

Contact us at Rockwoodrecovery@gmail.com or call office # 248-677-8901.

Jenny Liagre - President



The Michigan Association of Repossession Agencies had their first in person meeting in years on December 9, 2021. George Badeen kicked off the meeting with a quick history of the association and the things they were able to achieve and not achieve. David Landy spoke briefly in regards to billing for extra fees. Our Treasurer Virginia Theisen gave us a quick update on the funding available in the bank account. Jenny Liagre spoke about the future of MARA, billing for extra fees, new DRN features rolling out soon, licensing verbiage that needs to be changed, and educating local police departments. The meeting was closed out with a vote for new board members. We look forward to a future of harmonious unity in our state! If anyone is interested in joining, please reach out to Jenny Liagre, President of MARA, at Rockwood Recovery Inc.

Texas Accredited Repossession Professionals (TexasARP)

Visit www.TexasARP.org for more information and on how to become a member.

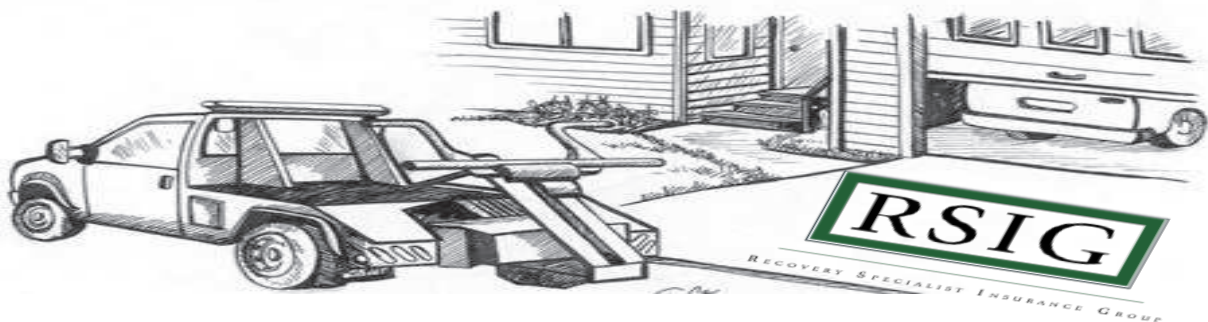
Stephanie Findley, President

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THE 11th ANNUAL “GATHERING OF THE EAGLES”

The 11th Annual “Gathering of the Eagles” was held October the 8th and 9th of 2021 at the Hyatt Regency DFW Airport and was well attended by members of Eagle Group XX as well as guests and presenters.

The “Gathering” kicked off Friday afternoon at a “Hospitality Suite” hosted by David Cowlbeck of Loss Prevention Services. This was David’s return to meet with the Eagles as he was a guest presenter at the first “Gathering of the Eagles” held in 2011. The members and guests took this opportunity to reacquaint themselves with each other, meet with new members, discuss current events and issues in the industry and welcome the guest presenters. David was once again very informative as he spoke on how to make money working for a forwarder providing the attendees with some very up to date and informative information.

The “Hospitality Gathering” was followed by a group dinner at the hotel restaurant where the fellowship continued, and the new members were introduced to the group.

After dinner the entire group retired to the “EAGLES NEST HOSPITALITY SUITE” which was well stocked with libations and finger food.

Not only were the current members of Eagle Group XX present but also candidates for membership, guests and presenters and Eagle Emeritus, Millard Land. The room closed at midnight with a lot of handshakes and hugs as the group retired to their respective rooms and prepared for a full day of education on Saturday.

Saturday started at 8:00 AM with a huge buffet style breakfast where the members, guests and presenters found their seats at the “Round Table” and prepared for a full day of learning.

The official “2021 Gathering of the Eagles” was called to order at 9:00 AM where a roll call indicated every Eagle Group XX agency was represented. The first session consisted of a “members only” business meeting where there was a review of promotional activities in 2021 and directional projections for 2022, discussion of the Eagle Group XX/USA program, Eagle Group XX/USA’ alliance with AFA and RSIG and the success of the AFA/RSIG Conference which had been held in Las Vegas in September, educational projects for 2022. The business meeting concluded at 12:00 and the guests and presenters were invited back to join the Eagles in a great “NOON FALL BUFFET” catered by the hotel staff.

The meeting reconvened at 1:00 with members, guests, and presenters present with a “BEST IDEAS” session followed by a very informative session on “INSURANCE” which was presented by a panel of Subject Matter Experts which included Ed Marcum and Leon Scroggins of RSIG and Mike Peplinski and Renee Low of Harding Brooks Insurance Agency. This session included topics related to what insurance was needed for full protection, what could be done to reduce premiums, why insurance costs were rising, as well as excellent answers provided to questions posed by the members. Without any hesitation I would state this was the most educational session I have ever attended on “Insurance”.

The meeting continued with discussion led by Stephanie Findley on the value of state and national trade associations, the importance of forwarding assignments within the Eagle Group network presented by Rich Whittaker, the new ARC, Annual Regulatory Compliance training modules, and concluded with the statistics and success of the Eagle Group XX/USA Telephone App presented by Walter Justice who had prepared an excellent US map showing Eagle Group XX and Eagle Group USA locations.



THE 11th ANNUAL "GATHERING OF THE EAGLES"

After a short break we were honored by the presence of Art Christianson who spoke to the group about "UNITY" and expounded on the unity he saw in the room between Eagle Group XX, Allied Finance Adjusters and RSIG and Harding Brooks, all in the same room with a common goal... PROFESSIONALISM.

Members then concluded the meeting with a "What I Bring to The Table" session which allows each member to have an idea of who they can go to within the group if they need any type of assistance.

The "11th Annual Gathering of the Eagles" conclude with its "BANQUET OF THE EAGLES" where the Eagles never say "Goodbye", but rather "Till we meet again" and the gathering adjourned with the traditional statement by Ron Brown, "Would that we could know the end of this day's business here it comes, but it must suffice to say the day will end and the end will then be known. If we meet again, we will smile but if not let this parting be well made."



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Remember, you can also purchase raffle tickets for the Dynamic Slide In Unit online!



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CFPB READIES FOR ANOTHER FORECLOSURE CRISIS

Article by CUCollector

CFPB Takes Action to Prevent Avoidable Foreclosures, Agencies Will Examine for Compliance with COVID-19 Protections

Facing a contrast of COVID numbers on the decline and unchecked inflation, The Consumer Financial Protection Bureau (CFPB) seems to be warning of an expected rise in home loan defaults. In their November 10 press release titled “CFPB Takes Action to Prevent Avoidable

Foreclosures – Agencies Will Examine for Compliance with COVID-19 Protections”, they appear to be putting lenders on notice that they will maintain COVID era protections for homeowners facing foreclosures well into the foreseeable future. This begs the question; are they expecting a post-COVID housing meltdown?

WASHINGTON, D.C. – NOV 10, 2021 – Today, the Consumer Financial Protection Bureau (CFPB), jointly with other government agencies, announced a return to enforcement of critical protections for families and homeowners. Those protections, put in place in the wake of the Great Recession to prevent another foreclosure crisis, give families the chance to find alternatives to foreclosure before losing their home. With the majority of the over one million remaining COVID-19 forbearances expected to end before the end of the year, struggling homeowners will need these protections to avoid foreclosure.

“Failures by mortgage servicers and regulators worsened the impact of the economic crisis a decade ago,” said CFPB Director Rohit Chopra. *“Regulators have learned their lesson, and we will be scrutinizing servicers to ensure they are doing all they can to help homeowners and follow the law.”*

Most homeowners make their monthly mortgage payment to a mortgage servicer. Mortgage servicers collect the payments on behalf of the entity that owns the loan and are hired and fired by that entity, not the homeowner. Homeowners cannot shop for a new servicer, no matter how badly they are mistreated. As a result, borrowers cannot exercise market power to discipline mortgage servicers and, absent government intervention, have no defense against a servicer’s abuse of market dominance.

The CFPB issued the joint statement with the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency, and state financial regulators. The statement makes clear that the agencies will apply their respective supervisory and enforcement authorities to protect homeowners and address any compliance failures. The joint statement provides that a previous joint statement issued in April 2020, which stated that the agencies would relax supervisory and enforcement oversight with respect to certain requirements in Regulation X, will no longer apply. The agencies believe that the servicers have had adequate time to adjust their operations to comply with the timelines and other requirements of Regulation X and servicers will now be expected to fully comply with the rules.



CFPB READIES FOR ANOTHER FORECLOSURE CRISIS

The CFPB also released a report summarizing its work to help struggling homeowners and avert another foreclosure crisis. This work includes:

- Conducting prioritized assessments, or targeted supervisory reviews, designed to obtain real-time information from mortgage services due to the elevated risk of consumer harm because of the pandemic.
- Reminding servicers that “unprepared is unacceptable,” and that servicers need to dedicate enough resources and staff to ensure they can communicate clearly with homeowners, effectively assist borrowers, and reduce avoidable foreclosures during the surge in forbearance exits this fall.
- Implementing temporary procedural safeguards to help ensure that borrowers have time before foreclosure to explore their options, including loan modifications and selling their homes.
- Analyzing consumer complaint data about mortgage servicing and mortgage forbearances.
- Conducting additional, targeted review of high-risk complaints related to COVID-19 forbearance.
- Analyzing and publishing mortgage servicers’ COVID-19 pandemic response.
- Conducting original research documenting that Black and Hispanic communities, and low-income communities across racial and ethnic groups are at increased risk of another foreclosure crisis due to the disproportionate concentration of mortgage forbearances and delinquencies in those communities;
- Creating an online housing hub website at www.consumerfinance.gov/housing, in partnership with other federal agencies, to connect homeowners, renters and landlords with information about CARES Act assistance and protections.
- Creating and distributing homeowner outreach materials, in English and other languages, that servicers and housing counselors can use to help homeowners affected by the COVID-19 pandemic.
- The CFPB will continue to monitor closely the performance of mortgage servicers to prevent avoidable foreclosures to the maximum extent possible and will not hesitate to take supervisory or enforcement action if warranted.

The Consumer Financial Protection Bureau is a 21st century agency that implements and enforces Federal consumer financial law and ensures that markets for consumer financial products are fair, transparent, and competitive.



Kevin Armstrong
Editor of CUCollector.com



TRAILS AND TRIALS OF AN ASSET RECOVERY SPECIALIST

Guest Editorial by Ron L. Brown



As we attempt to recover in a Post COVID-19 environment we are faced with the “**TRIAL**” of locating consumers as we travel the “**TRAIL**” to a successful outcome on locating and recovering the mortgaged collateral.

Today, as we look at the assignments given us by clients, we notice there has been a lot of “SKIP GUESSING” on the account by non-professional people.

In order to assist the men and women in the asset recovery industry strive to be a trained and efficient “SKIP TRACER” the members of Eagle Group XX/USA offer up the following information and encourage each of you to visit the Allied Finance Adjusters Educational site where they are providing the Eagle Group C-TACT (Cyber-Tracking Agent Training) and S-Tact (Skip-Tracking Agent Training) to further enhance your tracking skills.

TECHNIQUES OF A PROFESSIONAL TRACER

The importance of tracing in a financial environment.

You cannot collect money, you cannot seize assets, you cannot recover mortgaged collateral unless you can locate the consumer and the collateral.

A **PROFESSIONAL TRACER** must understand the following:

Dia Matheseos Dynamis... “Through Knowledge Power”

KNOWLEDGE:

FACTS vs SUPPOSITIONS

A **PROFESSIONAL TRACER** follows the path of FACTS, not ASSUMPTIONS

FACT: Everyone and everything is somewhere...

FACT: The ability to trace has always paralleled the ability to communicate

FACT: We need four things to exist in today's society **Food, Shelter, Transportation** and **Money**

FACT: There are electronic trails left by every move a person makes

FACT: There are gateways to the **sources** we need to access the electronic trails

SOURCES:

ACQUIRED: Original Credit Application, file notes and comments, information from relatives, references, employers, friends, neighbors. Much of this information may be obtained from third parties through the use of Neuro Linguistic Programming (NLP) Techniques.

FREE Data Repositories:

PAY Data Repositories:

TRAILS AND TRIALS OF AN ASSET RECOVERY SPECIALIST

Step 2 – Is your subject living?

I know it's a little morbid, but this is the first step to take in any skip trace. You can determine whether or not your target is still alive using the Social Security Death Records database (or SSDI). While you would think that you should be able to access the index from the Social Security Administration's website, you cannot – though you will find free access here: <http://search.ancestry.com/search/db.aspx?dbid=3693>

Since search results include the date of birth, city and state of last residence and the state the social security number was issued in, this should be enough to identify whether it pertains to your subject.

Step 3 – Online Telephone Directories

This is obvious – I'm aware – but not to be overlooked. It only takes a couple of minutes to search using online directories. Be sure to search multiple areas and states if your profile includes that information – such as places where your subject previously lived or may have moved to. Admittedly, with the introduction of the cell phone revolution, many people no longer subscribe to a 'land line,' but it's still worth a shot – you might get lucky, or you might find a relative.

While there are literally thousands of online telephone directories, here are some of the more popular ones:

AnyWho: www.anywho.com

AT&T Directory Assistance: www.corp.att.com/directory/

SuperPages: www.superpages.com

SwitchBoard: www.switchboard.com

White Pages: www.whitepages.com

Yahoo! People Search: people.yahoo.com



Step 4 – Internet Search Engines

There's a reason it's called the 'Information Age.' All information ever recorded or archived about you on a website is likely to be found online. If that doesn't make you a little nervous, it should. In capable hands, the Internet can reveal all manner of statistical and personal data about you.

People in the business become very "aware" of what they post online. Posts you've made in discussion groups; reviews you've provided online; resumes posted to job or career sites; ads on Craig's List; newspaper articles; organizations and club meeting minutes – it's all out there.

I'll refer specifically to Google here, but generally the same principals apply to other search engines like Bing and Yahoo!. If Google is not the largest conglomeration of websites and information on the Internet, then it's close. I always start here.

To get the most out of this search tool, you need to be aware of what's in the toolbox... I'm sure there is not one person among you that hasn't at some time searched for something on Google, but I'm wondering how many of you have used the Advanced Search feature? After you perform a basic search, scroll down to the bottom of the page and you'll see the link for 'Advanced Search.'



Like most search engines, Google's queries are based on 'Boolean logic' (if you're not sure what that is, you can Google it). The Advanced Search feature lets you enter data into a form that makes it easier to narrow down the focus of your search to a defined set of parameters. You can specify a search for specific words or phrases and exclude others.

TRAILS AND TRIALS OF AN ASSET RECOVERY SPECIALIST

Other valuable tools that Google provides are separate search engines for different types of information. Assuming you're using a reasonably current web browser, you'll find several links displayed in a menu across the top of the Google's search page. You can search specifically in the 'Images' section for snapshots of your subject that may be displayed on other websites. By clicking on that image, you'll be taken to the website where the image is originally displayed. You can also use the 'YouTube' search engine, which has become very popular.

Step 5 – Social Websites

Lately there are more social sites cropping up than I can keep up with. By 'social sites' I'm referring to websites like the old MySpace, FaceBook, and Twitter, etc., where people have made an astonishing amount of information about themselves available to anyone who understands data mining techniques.



FaceBook

You can conduct a simple search for anyone you wish on FaceBook, but unless you have a 'page' of your own, you're not going to be able to see very much in your results – so if you don't have one, get one. It's a fairly simple process to set up, and you can set your 'Profile' to private so others can't snoop.

Once you have created your own page (make sure you're logged in before searching) your search results will return information about anyone you search for by name – that's basic stuff. You can also search by name and city or state. What you may not know is that if you search with a subject's email address you will have a much better chance of positively identifying your subject. You would think that most people post a picture of themselves for a profile, but you'll soon learn that puppies, kittens, caricatures, and photos of other people are just as common – so a valid email address is a better way to search, if you have it.

If you can't locate your subject's 'page,' try looking for a page belonging to a relative or friend of your subject. If you scroll through other people's 'Friend' list (if their profile is not set to 'Private') you just may find your subject, or another lead to your subject. I especially look for 'Happy Birthday' posts in a person's history, since most people tend to chime in around that time.

Alumni or Reunion sites are another excellent source for data. If you know where your subject went to high school or college, you may be able to find information about them from a site like Reunions.com, Classmates.com. or Alumni.com. Remember, if you know who else may have gone to school with your subject – you can look for them too.

Step 6 – Professional Websites:

LinkedIn (www.linkedin.com) Plaxo (www.plaxo.com) and Ecademy (ecademy.com) are great online sources for skip tracing, particularly if you have a rough idea about where your subject may be located and previous professions, careers or employers. Because these sites are designed for interaction between certain types of professionals, it is also likely to be reasonably up to date.



Another valuable site is CorporationWiki (www.corporationwiki.com). A unique feature of this site is that the information is gathered from sources like Dun and Bradstreet and the Secretary of States' corporate filings. If your subject owns a business, the information is likely catalogued here. Even if they don't own the business, often if they are a manager or primary officer of a business or company, you'll find their information here.

TRAILS AND TRIALS OF AN ASSET RECOVERY SPECIALIST

Step 7 – Public Records

Public records are becoming more and more available online. Many states and/or counties simply don't have the manpower to attend to manual requests for records, so they've simply made the information available on the Internet. There are many sites that may charge a fee for this information, but don't be fooled – much of it can be found free if you go directly to the source. A good starting point would be a public records portal, like SearchSystems.net (<http://publicrecords.searchsystems.net/>) or BRBpub.com (<http://www.brbpub.com/free-public-records/>).



Don't overlook court records – including civil, criminal divorce, bankruptcy and traffic violation records. Many states offer access to these databases online. Read the filings for relevant data.

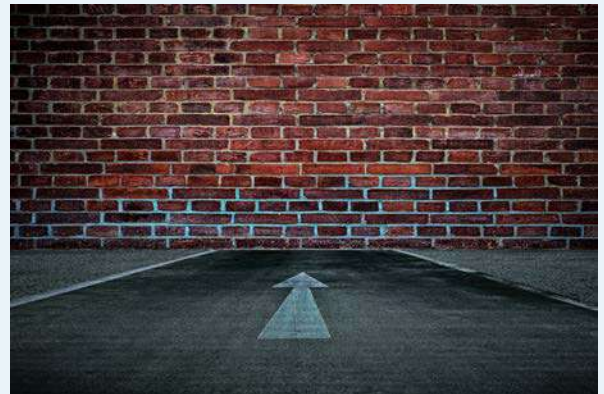
Inmate locaters, where available, can be an excellent tool if your subject has dropped off the grid. For state inmates try InmatesPlus (www.inmatesplus.com). For Federal prison inmates try the Bureau of Prisons website (www.bop.gov/iloc2/LocateInmate.jsp).

Black Book Online has an excellent U.S. Active Duty Military locator (www.blackbookonline.info), as well as many other public record resources.

Genealogy record sites, like RootsWeb (www.rootsweb.ancestry.com) or Ancestry.com (www.ancestry.com) have put a great deal of effort into keeping track of the family trees of millions of ancestors.

At the End of the Road?

Make certain that while conducting your searches you've used all possible variations of your subject's name or aliases like a maiden name or nick name – that goes for possible friends or relatives of your subject too. If you still haven't managed to locate your subject after exhausting all these skip tracing methods, it may be that your subject has gone to great lengths not to be found. If that's the case, then it's time to break out the big guns. By that I'm referring to private records, like consumer credit reports and other sources of fee-based data that the public doesn't have access to. You won't be able to gain access to it, either, unless you have a legitimate and legal purpose for doing so, such as a civil judgment, litigation, licensed private investigation, or other debt collection purpose.

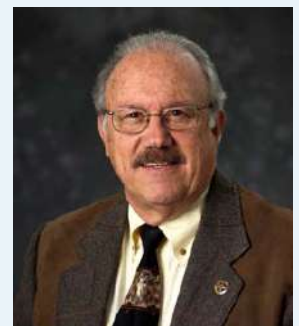


Good Luck and Good Hunting

Ron L. Brown



Author; Ron L. Brown
MCE, IFCCE, CCCO, MPRS, CARS, API
Facilitator: Eagle Group XX & Eagle Group USA
Anything, Anytime, Anyplace... Professionally





SLIDE-IN UNIT



2 YEAR WARRANTY



SPECIFICATIONS

Wheel Lift Fully Extended 4,000 lbs
Maximum Underlift Reach 75"
7,500 lb Tow Rating
Approximate Weight 1,100 lbs

All Ratings are based on structural factors only, not vehicle capacities or capabilities. Specifications shown are approximations and may vary depending on chassis selected. Dynamic Towing reserves the right to change or modify product and or specifications without notice or obligation. Some equipment shown is optional.

STANDARD FEATURES

73" Subframe
Electric Motor
In Cab Remote Control
Straps, Chains, & Ratchets

Bronze Bushings
Complete Mounting Kit
Tire Spacer Blocks
Trailer Hitch

OPTIONAL FEATURES

Engine-Mounted Clutch Pump Kit
Upgrade to 701 Series
with 5,000 lb Wheel Lift
8,000 lb Drag Winch

Frame Supports
Motorcycle Attachment
400 lb Counter Weight
Super Springs

CHASSIS RECOMMENDATIONS

10,000 lb GVW
Dual Wheels
Designed to be Installed on a Pick Up Truck Chassis
Never Exceed the Chassis Max GVW Rating During Towing

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REPO2022

JoinUs.Repo2022@repo2022.com
June 20-23, 2022



RECOVERY SPECIALIST INSURANCE GROUP

While the weather outside may be frightful,
Thinking of warmer destinations can be delightful.
And since Repo2022, planning has begun...
Let's think of fun in the sun, in the sun!



Admit it we had you humming along to the tune of Let It Snow, just a bit didn't we? We know it's getting to be holiday time, but like we announced in September, planning for REPO2022 was well underway, returning to our June dates! REPO2022 will be hosted at a beautiful resort property in ChampionsGate (Orlando area), Florida – with easy access and transportation to Walt Disney World, Universal Studios, SeaWorld and more!



The Omni Orlando Resort at ChampionsGate is excited to host REPO2022 and is offering deeply discounted room rates, discounted self parking and no resort fee!

The Omni at ChampionsGate and REPO2022 are the perfect place and perfect event to network and train and to entertain your family at the same time. The Omni offers 2 championship golf courses, a Champions 9 lighted golf experience, Crane's adventure mini golf, Orlando's only wave pool, kids pools with water slides, a lazy river and an adult only pool with luxurious cabanas.

There is also the Mokara Spa to rejuvenate your body and spirit, tennis, basketball, fire pit, Camp Omni and an arcade. The hotel also has fresh water fishing packages (equipment provided, catch and release and no license required), kayaking and eco-tours.



So save the date and start your summer getaway wish planning – because there's no other place you ought to be, other than at REPO2022 next June! Early Bird Registration will open soon to save you even more! Keep your eyes open and make sure to add repo2022.com as a safe recipient in your email so you don't miss any important messages and opportunities! Any questions – just email JoinUs.Repo2022@repo2022.com!

REPO2021 A GREAT SUCCESS

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RECOVERY SPECIALIST INSURANCE GROUP



Awards Dinner Grand Ballroom



Awards Dinner



President Wade Argo at awards dinner



RABF Auction



From Left to Right Billy Wittenton, Lisa Hancock, and Ron Brown with their awards



Kayihan Seran presenting an award to Chad Buchanan



Ron Brown Running a Successful Recovery Agency Code of the West



Allied Secretary Kayihan Seran Gives award to Billy Wittenton Jr



Leon Scroggins Teaching National Safety Council Defensive Driving



Susan Carnicero How to get the Truth



Machelle Morris Case Law Review



Matt Kownacki of American Financial Services Association speaking on Post COVID Whats Next

REPO2021 A GREAT SUCCESS



Lunch break Networking in vendor room



RABF Fundraiser Fun Time Networking



Awards Dinner Networking



Networking in the evening

*Thanks to everyone who
attended the Convention!*



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Networking at the awards dinner



Clients Networking



Safety Vision in Vendor room



Class Room



Networking with the President of AFA



Lunch Buffet

PERSONAL & PROTECTED DATA IN REPOSSESSED VEHICLES

By Education Chairman - Ron Brown



The majority of vehicles repossessed today have a computer that stores a lot of information about the consumer. When you repossess a vehicle and return it to the client, take it to the auction or sell it per your client's instructions that personal data might be accessible to the next owner if someone does not take steps to remove it.

With so many different devices, apps, and connections in our lives, many people forget that vehicles are connected devices as well. Think about it, the vehicle you just recovered knows every contact, location, app, and combination the consumer may have downloaded.

The Federal Trade Commission (FTC) cautions that there is a need to start thinking about vehicle data systems as if they're an extension of a smartphone or computer, because essentially, they are.

Many people in the asset recovery industry are not especially tech-savvy, don't know much about vehicle data systems or are even still getting overwhelmed by the data technology in today's vehicles. Many do not realize the large amount of protected data a vehicle's data system might contain.

So, who is responsible to see that the NPPI data is deleted preventing a third party from accessing it? The recovery agency, the lender, the forwarder, or maybe the auction or other third party selling the vehicle?

Before we try to find an answer to that question let us look at the history of vehicle data. Vehicles with data connections have been around for the last twenty years.

In the beginning it was simple features that depended on cellular service (e.g., automated calls to emergency services if the vehicle was in an accident) but the vehicles on the market today offer much more, and open consumers to dangers they were not susceptible to before.

Protection of personal data and privacy is at the top of the consumers list as smart cars gather sensitive data such as location, the driver's daily route, apps that are used, and so on.

The vehicles recovered and sold at auction and/or private sale may contain the consumers' phone contacts/address book, mobile apps' log-in information and data, digital content, garage door codes, and more if consumers connect their mobile devices to the cars they own or lease.

Could there be a problem? Could there be liability? Could there be litigation? The answer is of course, "YES"

Imagine this scenario... the vehicle goes to auction with stored data in the navigation app showing "HOME" and the garage door code in the built-in garage door opener. At auction, the vehicle is purchased by a dealer who sells it to a consumer. The consumer finds the information, goes to the home, opens the garage door, and burglarizes the home. The homeowner catches the burglar, and a fight ensues, the homeowner is injured and the burglar escapes but is later caught and states how he obtained the home address and garage door code. Where does the liability fall? Does the homeowner have a claim against the lender for selling the vehicle without first removing all personal and protected data? Again, I think we can all see the answer is clearly, "YES".

PERSONAL & PROTECTED DATA IN REPOSSESSED VEHICLES

Back to the question of whose duty it is to delete the consumers personal data, you, or them. In searching for the answer, I found nothing clearly stating “WHO” was responsible but did find numerous articles related to the fact the data should be deleted and various ways to delete the data.

It appears that having the ability to delete the data might be a fee producing opportunity for the members of the asset recovery industry. The recovery agency could explain the liability to the lender if the data is not removed and offer to sweep the data from the vehicle for a nominal fee. But there is also the possibility that history will repeat itself as it did with tow truck charges, storage, and auction delivery fees if this ancillary data sweeping service and all the liability that goes with it will just become another dictated “at no fee” service that the client demands.

I will share some of the techniques and apps I found to scrub personal and protected data that has been synced, paired, or downloaded over the years. from the vehicles you recover. The settings and methods can vary according to make, model, and year, but this information can give you some general pointers to lead you in the right direction.

Please be advised I am not suggesting that you do or do not offer this type of data scrubbing service but rather I am only sharing information I found on the net related to this issue. These are not my techniques and I cannot guarantee that they will work, nor do I have first-hand knowledge of the apps. I personally have not experimented with the techniques or the apps. This is the information I found on the net advising how to clear the data. Listed below is an app I found for clearing data from vehicles and there are numerous others you can easily google.



Privacy4Cars App

The Privacy4Cars app is a one-of-a-kind platform built to assist with the removal of personal information such as, phone numbers, call logs, location history and garage door codes, from modern vehicles. First created by a cybersecurity and vehicle privacy expert, Privacy4Cars allows users to select cars according make, model and year, and provides visual step-by-step tutorials on how to quickly/effectively clear vehicles of personal information. The app is available for both Apple and Android.

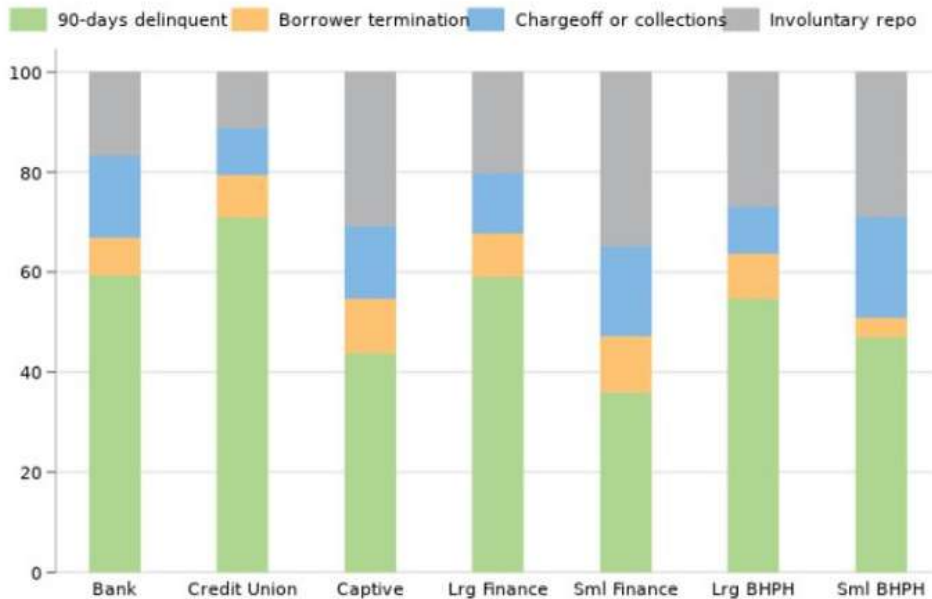


Ron L. Brown,
Education Chairmen Allied Finance
Adjusters Conference



CFPB STUDIES SUBPRIME AUTO LOAN DEFAULTS BY LENDER TYPES

By Kevin Armstrong editor of CUCollector.com



Almost unnoticed last month, the Consumer Financial Protection Bureau released a Data Point report on Subprime Auto Loan Outcomes by Lender Type. In this forty-six-page report, they examine the effects of interest rates and default risks variances based upon different types of subprime lenders and how variations in interest rates can be explain the differences in default rates. In general, they concluded that the rates vary depending upon the lender type and that the default rates coincided in relation to those higher rates.

FIGURE 6: SUBPRIME LOAN OBSERVABLES BY LENDER TYPE IN THE CCP



Continued on next page

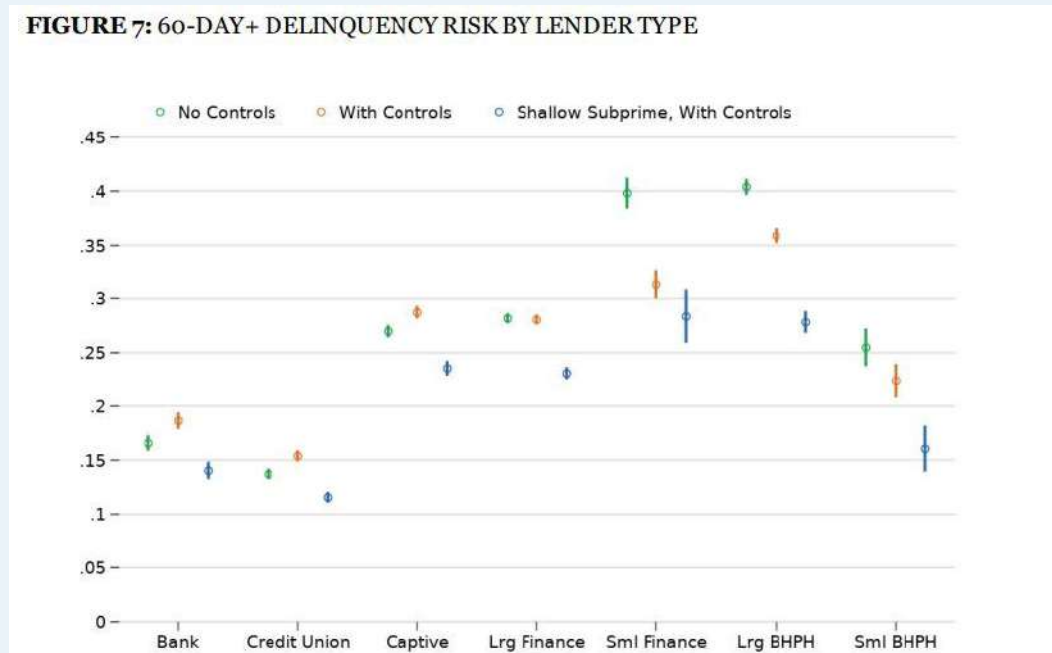
CFPB STUDIES SUBPRIME AUTO LOAN DEFAULTS BY LENDER TYPES

The CFPB discussed some of the difficulty they had in acquiring complete data pools, as some lenders report 30 days out and some 90 while some, do not report at all. Examining the 2014 to 2016 loan origination pool with FICO scores at or below 620, they used Experian's AutoCount for loan origination data, and Experian for default and other data. Missing to a very large degree is the buy-here-pay-here (BHPH) industry who typically do not report to any of the Nationwide Credit Reporting Agencies (NCRA's.)

The report puts identified lenders into five categories: banks, finance companies, captives, credit unions, and BHPH dealerships. Among their findings, the Bureau's found:

- Interest rates often vary across lender types for reasons that have nothing to do with delinquency risk. As depository institutions, Banks and Credit Unions have may have access to cheaper funding than Finance or BHPH lenders, and so may be able to provide all customers lower interest rates. If there are returns to scale in auto lending, then larger institutions may be able to provide loans more efficiently and thus at lower interest rates than smaller institutions.
- Auto loan default rates were higher with lender types that charge higher interest rates. Bank originated subprime loans showed a 15% history of a 60-day delinquency over three years, while amongst the finance companies and BHPH dealers, the rate was 25% to 40%.
- Interest rates varied dramatically based upon lender types. They found that, on average, the interest rates banks charged were about 10% while finance companies and BHPH dealers charged between 15% to 20% on average.

FIGURE 7: 60-DAY+ DELINQUENCY RISK BY LENDER TYPE



Overall, it is a worthy read and study. If I had the war chest to do a deeper dive into the data, I would capture all loans with a repossession reporting code, month by month and extrapolate some aggregate volume data by regions, cities and lenders. Perhaps then we could then drill down on the affected loans and identify common and perhaps avoidable default denominators to protect both the consumer as well as the lending world from defaults. I looked into this, but Experian wanted to charge roughly \$30K per report and would neither allow it to be sold for a profit nor would they identify the lenders.

CALR SCORES LEGAL WINS AT THE CAPITOL

Licensing no longer required of camera car drivers or lot and office staff?

In one of several state bills regulating repossession activities moving through the state of California legislature, the California Association of Licensed Repossessors (CALR) has scored a win! AB 913, a revision to the existing Business and Professions Code, relating to collateral recovery, proposed a large number of common sensical revisions to personal property laws that are both consumer and agency friendly. But in between the lines, CALR believes they scored a big win.

In a rare win for the repossession industry in California, CALR did receive the Governor's ink on AB913, a CALR supported bill to amend Sections 7500.1, 7504.4, and 7507.9 of the Business and Professions Code, relating to collateral recovery. This win comes directly on the heels of the last-minute veto of a very common sense AB 515 that pertained to agent trespassing during the course of repossessions, which recall survivor, California Governor Gavin Newsom, killed after it's victorious and laborious crawl through the partisan and repossession industry unfriendly halls of the California legislature.

Licensing Requirements

Earlier versions included language that specifically stated that camera car drivers and office staff were exempt from the states licensing requirements, but these specific exclusions to camera car drivers were disputed to legislative members by former California agency owner Leon Scroggins.

Scroggins pointed out the reality of conditions in the field in which a camera car driver's first duty when receiving an LPR hit is to verify the VIN which starts the validation of the repossession process. Leon also pointed out that as a practical matter, camera car drivers are typically ordered to maintain surveillance of the vehicle and assist in its recovery upon the arrival of a recovery vehicle.

Leon's intervention did ruffle some feathers with Marcelle Egly, President of CALR as well as the CALR Legislative Liaison Joe Collins, but Leon is entitled his opinion. This is a free country after all, at least for a little while longer.

Regardless of these changes, Marcelle and Joe feel that the definitions of the duties performed by a reposessor serves the same purpose. Now codified in AB913 is the definition of when a repossession occurs. This is important for numerous reasons, but primarily in defining the activities performed by a "Repossessor."

(w) "Repossession" means any of the following:

- (1) When the reposessor gains entry to the collateral.
- (2) The collateral becomes connected to a tow truck or to a reposessor's tow vehicle.
- (3) The reposessor moves the entire collateral present.
- (4) The reposessor gains control of the collateral.
- (5) The reposessor disconnects any part of the collateral from any surface where it is mounted or attached.

Based upon these definitions, Marcelle and Joe feel that it is clear that a camera car driver does not in the general scope of their duties perform these duties, nor does a lot attendant or any of the office staff. As such, they feel that they are not Repossessors and should not be subject to licensing requirements. ***I urge you all to get your own professional legal opinion on this as I am not espousing legal advice as I am not an attorney.***

Deadly Weapon Handling

Additionally, the bill codifies the terms of disposal of weapons other than a "Deadly Weapon."

(b) The following items of personal effects are items determined to present a danger or health hazard when recovered by the licensee and shall be disposed of in the following manner:



CALR SCORES LEGAL WINS AT THE CAPITOL

(1) (A) Deadly weapons and dangerous drugs shall be turned over to any law enforcement agency for retention. These items shall be entered on the inventory and a notation shall be made as to the date, time, and place the deadly weapon or dangerous drug was turned over to the law enforcement agency, and a receipt from the law enforcement agency shall be maintained in the records of the repossession agency.

(B) Any other instrument or weapon, including, but not limited to, any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, metal knuckles, dirk, dagger, any knife having a blade longer than five inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club shall be inventoried and noted as “disposed of, dangerous device” and the item shall be disposed of in a reasonable and safe manner.

Third Party Personal Property Handling

Included in this bill are clarifications to personal property handling that cover legal releases to debtor authorized third parties and exclusions from release to lenders or rental car companies, which has been an odd demand that’s reared its head.



(i) If personal effects or other personal property not covered by a security agreement are to be released to someone other than the debtor, the repossession agency must receive written authorization to do so from the debtor.

(j) A licensee shall not sell personal effects or other personal property not covered by a security agreement and remit money from the sale to a third party, including, but not limited to, any lending institution.

(k) The inventory shall be a confidential document. A licensee shall only disclose the contents of the inventory under the following circumstances:

(1) In response to the order of a court having jurisdiction to issue the order.

(2) In compliance with a lawful subpoena issued by a court of competent jurisdiction.

(3) When the debtor has consented in writing to the release and the written consent is signed and dated by the debtor subsequent to the repossession and states the entity or entities to whom the contents of the inventory may be disclosed.

(h) With the consent of the licensee, the debtor waives the preparation and presentation of an inventory if the debtor redeems the personal effects or other personal property not covered by a security interest within the time period for the notices required by this section and signs a statement that the debtor has received all the property.

(i) If personal effects or other personal property not covered by a security agreement are to be released to someone other than the debtor, the repossession agency must receive written authorization to do so from the debtor.

While CALR did not get everything they wanted, they did manage to affect legal change to the repossession process in one of the most politically unfavorable legislative bodies to the repossession industry in the nation. This win spells out the value of state level associations and their power to utilize “standing” in a manner that the national associations cannot.

Congratulations to Marcelle and Joe for your success against unfavorable headwinds! All agency owners in the state of California owe you both their gratitude, especially those who are not currently members of CALR!

Once again, this article is intended for informational purposes only and is not intended to serve as legal advice. I am not an attorney, nor have I ever been one and am in no such position to dispense legal opinion. It is strongly advised to obtain professional and competent legal counsel before making legal decisions.

2021 Member Directory

Alabama

Dothan
Southeastern Recovery
David Hughes
185 Loraine Rd., Dothan, AL 36301
334-671-1170

Alaska

Fairbanks
Banker's Collection Co., Inc.
Craig Chausse
618 Gaffney Rd., Fairbanks, AK 99701
907-456-2830

Arizona

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Alpha Towing & Recovery Company, LLC
Jordan Sawalqah
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Phoenix
Desert Auto Recovery
Jeff C. Dryer
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Phoenix
Innovative Recovery Solutions, LLC
Jared D. Bowers
1742 E. University Dr., Phoenix, AZ 85034
623-866-2360

Phoenix
Reliable Recovery Services, LLC
Dan Ketterer
2401 W. McDowell Rd., Phoenix, AZ 85009
623-934-3599

Phoenix
Southwest Recovery, LLC
Michael Van Winkle
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Pinetop
High Country Towing & Recovery Inc dba Navapache Asset Adjusters
John W. TenEyck
612 E. White Mountain Blvd., Pinetop, AZ 85935
928-272-7800

Tucson
Automobile Recovery Services of Arizona, Inc.
Robert C. Bozarth
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520-747-0699

Yuma
A&A Towing & Recovery
Monty W. Sanders
13711 S. Ave. 3E, Yuma, AZ 85365
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Arkansas

Fort Smith
Absolute Towing And Recovery, LLC
Josh Niles
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479-434-6700

North Little Rock
Alert Recovery Inc.
Walter L. Justice Jr.
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800-643-8362

North Little Rock
Statewide Towing and Recovery, Inc.
Shara Justice
10515 MacArthur Dr., North Little Rock, AR 72118
501-803-3650

Texarkana
Evans Recovery Specialists, Inc.
Arron A. Evans
119 Senator St., Texarkana, AR 71854
903-701-5175

California

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Repossession Empire Inc DBA Legion
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Gardena
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Granada Hills
Motion Repossessors, Inc.
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All American Recovery
Raul Rosales
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Long Beach
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Long Beach
Action Auto Recovery
Chuck Cowherd
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John N. Dickinson
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Knight Recovery, Inc.
Bob Forester
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Los Angeles
L.A.W. Recovery
Misti Benarbachian
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Modesto
Four Star Recovery, Inc.
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North Highlands
Solid Solutions 24/7, Inc.
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Oceano
Cal Coast Recovery
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Panorama City
Sterling Asset Recovery, Inc.
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Stockton
T. Grant & Associates, Inc.
Tim Grant
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Vallejo
After Hours Auto Recovery
Wes Englebrecht
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707-553-7814

Victorville
Inland Valley Recovery
Elisa Noreiga Schmid
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Colorado

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2021 Member Directory

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Pueblo
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Connecticut

Branford
Collateral Recovery Services, LLC
Thomas Farace Jr.
21 Ciro Rd. North, Branford, CT 06471
203-315-9207

Windsor
Auto Lock Unlimited, Inc.
Robert Edwards
1449 John Fitch Blvd. S., South Windsor, CT 06074
860-282-0065

Winsted
Confidential Asset Recovery Services, LLC
Vallerie Sugerak
120 Colebrook Rd., Winsted, CT 06098
860-379-7914

Delaware

Smyrna
Hound Dog Recovery
Ryan Grellock
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Florida

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Speedie Recovery of South Florida
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Barbara Scheele
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Fort Pierce
Repossessions Inc. South
Kathy Kelly
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Gainesville
Hyde N Seek Recovery, Inc.
Scott M. English
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352-336-5464

Hollywood
DCT Recovery Agency, Inc.
Dawn Kelly
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954-963-7376

Florida

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First Coast Florida Recovery, Inc.
Larry Davis
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904-693-1152

Miami
Auto Recover Services
Brian H. Suarez
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Specialized Towing & Transportation Inc.
Rigoberto Herrera
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305-442-9696

Miami
Target Recovery, Inc.
Luz Maestre
10736 SW 188th St., Miami, FL 33157
305-633-1666

Orlando
B&P Auto Recovery Services
Janette Mojica
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407-851-3246

Orlando
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PAR RUNNING OUT OF PLACES TO RUN FROM LAWSUIT

From CUREpossessor, Kevin Armstrong

Court shoots down another stalling effort in George Badeen's 11 year lawsuit against PAR, Primeritus (Renovo) ECT..

Like a ping-pong ball bouncing from court to court, PAR and Primeritus have been filing motion after motion in their efforts to avoid the inevitable. The fact that they got caught operating in Michigan without a license as a debt collector during a 6-year period. Now, a Michigan Court has denied what could be one of their last hail Mary efforts to get off the hook for what could be a crippling judgement in excess of \$270M!



On October 4th, the United States Court of Appeals for the 6th circuit denied a petition for a writ of certiorari filed by PAR and Primeritus (fka; Renovo) on this case that has gone back and forth from state to Federal courts for over ten years now. Certiorari is a court process to seek judicial review of a decision of a lower court or government agency. In order to win this review, the petitioner needs only four of nine circuit judges to agree with the review. Having lost this appeal, it is unknown what legal defenses aside from stalling remain for the defendants.

Whole careers have come and gone since this fight began way back in April of 2010, when George Badeen, then President of Allied Finance Adjusters (AFA) filed a proposed class action lawsuit against PAR, Inc. ("PAR"), Remarketing Solutions, LLC, and Renovo Services, LLC, alleging that the named defendants had been actively soliciting accounts that the Plaintiffs (Badeen and class) historically managed and the Forwarder Defendants were not licensed to collect such debt. The class being represented, is "every automobile repossession agency or owner who held a license as a debt collector in the State of Michigan during the last 6 years [- i.e., April 2004 to April 2010]." This is estimated to represent approximately 150 agencies.

In the amended complaint, Plaintiff alleged that;

- (1) the Forwarder Defendants operated as unlicensed collection and repossession agencies in violation of the Michigan Occupational Code and Michigan Regulation of Collection Practices Act; and*
- (2) the Lender Defendants conspired with the Forwarder Defendants to violate the law by employing the Forwarder Defendants directly.*

Discovery as to total repossessions done by Forwarders is still ongoing. As an individual, George Badeen would be entitled to \$175 per motor vehicle, or \$50.00 per motor vehicle tripled under the statute, MCL 339.916, plus attorney's fees and costs. As to the unnamed class members, damages would be the total number of repossessions times \$175 net proceeds per repossession.

*Considering Plaintiffs' allegation of 1.8 million repossessions together with their request for treble damages under Mich. Comp. Laws § 339.916, it is unambiguously ascertainable that the amount in controversy exceeds \$5,000,000. In fact, multiplying the trebled damages available under § 339.916 by the alleged 1.8 million repossessions/violations, the amount in controversy is at least \$270,000,000 (i.e., 1.8 million * \$150). See Mich. Comp. Laws § 339.916(2) (if it is a willful violation, the Court "may award a civil penalty of not less than 3 times the actual damages, or \$150.00, whichever is greater . . ." (emphasis added)).*

In an earlier motion, PAR had successfully requested and was granted a change of venue to the higher Federal Courts where procedural requirements were more to their favor.

Years ago, when the activity in the George Badeen vs. Par class action lawsuit were at their peak, we used to muse at the scale of the legal action as being akin to Opie Taylor from Maybury RFD vs. Godzilla. Now that ten years have passed since this action first began, it would be more like Richie Cunningham from Happy Days vs. Godzilla.

There is no word on whether there have been any meaningful discussions of settlement on this case. Should a full judgement be received and enforced, it could be catastrophic to the lawsuit survival of these forwarders, who are two of the largest in the nation.

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8,000 lb Drag Winch
Twin or Sling Line Winches
with 54 Stroke Recovery Boom

Diamond Plate Dress Up Kit
Stainless Steel Pylon
Side Load Tool Boxes
Motorcycle Attachment
Gooseneck or 5th Wheel Attachment

CHASSIS RECOMMENDATIONS

Minimum Cab to Axel
Max. Cab to Axel Tunnel Box
Suggested GVWR

60"
108"
14,500 lbs

CONTACT US: 1-800-746-8802



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Mission Statement: *The mission statement of Allied is as follows:*

Allied Finance Adjusters Conference Inc. is a nonprofit national association of individuals who own and operate repossession companies. We are committed to the promotion of excellence within our profession. Allied does this by educating our members and those associated with the finance industry regarding innovations, changes and improvements that affect this trade and give them the opportunity to exchange knowledge, experience, and ideas in a collaborative environment.

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