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A Magazine for the Professional Recovery Industry

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Story
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Jim Osselburn
President, AFA

President's Message



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

I hope this finds you all doing well,

What an interesting first quarter this has been so far, I have been working hard on Pinnacle (PRO) and have had several meetings regarding its potential. As many of you may already know My Recovery system (MRS) and Vendor Transparency Solutions (VTS) has been acquired by MBSi. Allied Finance Adjusters was a minority shareholder in MRS and the idea behind MRS was to offer our members and the industry an affordable solution to repossession management software that would have owned by the industry. This idea turned out to be a short-term investment that will financially benefit Allied Finance Adjusters membership for many years.

The acquisition by MBSi was perfect timing for MRS, Allied and the industry. I have met with the team at MBSi and I have confidence that they will take the potential of MRS and VTS to new level very quickly. I am very proud to have been involved with the team at MRS as well as the investment opportunity that I presented to our board which was approved. We should all be proud of this industry first investment that gave our association financial stability. If you would like to know more regarding our investment and return, please attend our upcoming annual convention.

We are in our final planning stages of the 2019 annual convention and we have all been working hard to make this year's convention the best. Also, I am pleased to announce that repossessions via Pinnacle (PRO) by Allied members have started. I am proud of this accomplishment.

James Osselburn, President



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.



Allied's Executive Committee 2019

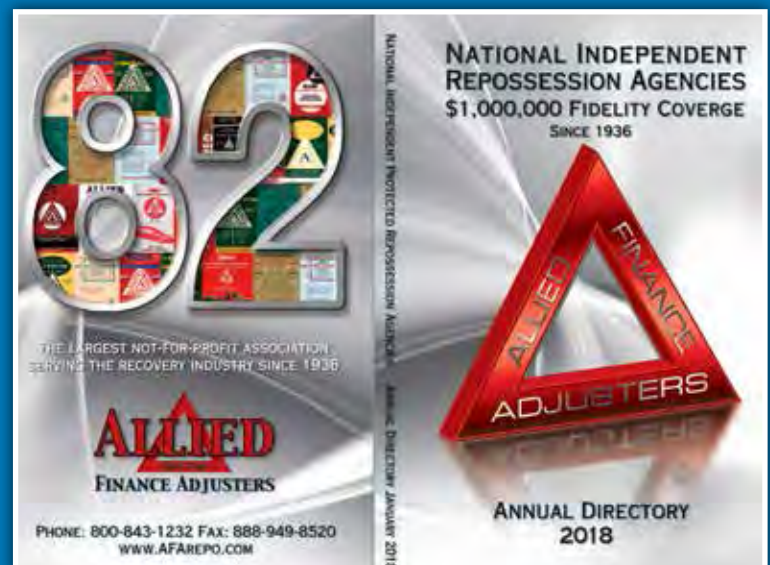
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2019 Directory coming soon!

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6th Circuit Court Rules Foreclosure Activities During “Dispute Letter” Period Violate the FDCPA

“For the foregoing reasons we find that Trott violated the FDCPA by continuing collection activities after receiving Scott’s Dispute Letter.”

Cincinnati, OH - January 11, 2019 – The 6th Circuit Court of Appeals made a ruling on the matter of “Kevin Scott v. Trott Law, P.C”, an FDCPA case involving the law firm, Trott Law, P.C, who was retained by Bank of America, as a debt collector to manage foreclosure proceedings on Scott’s mortgage due to nonpayment.

While the overall national impact of this ruling is yet to be seen, it does clearly infer that the “Dispute Letter” must “stop the clock” on all collection activities in process once the notice is received. The impact of this decision very well could find its way into auto repossession and legal activities as well in cases where this decision is quoted as source for precedence.

In June of 2016, a lower court ruled in favor of Bank of America in Kevin Scott v. Bank of America, N.A. et al, No. 15-2188, (6th Cir. Jun. 7, 2016). This original FDCPA lawsuit was based on four violations allegedly taken by Bank of America. This dismissal led to the retention of Trott Law, P.C. to proceed with the foreclosure.

On September 20, 2016, in compliance with the Fair Debt Collection Practices Act¹ (FDCPA), Trott sent a Fair Debt Letter to Scott informing him of Trott’s role as a debt collector acting on behalf of its client, BANA, to foreclose on Scott’s mortgage for the total outstanding indebtedness of the mortgage.

On October 8, 2016, Scott asserted his right to submit to the debt collector a “Dispute Letter” requesting validation of debt. During this period, Trott Law, P.C, continued with foreclosure proceedings, posting the required foreclosure advertisements in a local newspaper on October 7, 14, 21, and 28th, the posting of a foreclosure notice on Scott’s home on the 14th and choosing not to cancel the sheriff’s sale date of November 8th, 2016.

In the court’s ruling, they stated; **“Scott has strong grounds for this assertion. “If a purpose of an activity taken in relation to a debt is to ‘obtain payment’ of the debt, the activity is properly considered debt collection.”** Glazer, 704 F.3d at 461. It is uncontested that these three activities are statutorily required under Michigan law. See Mich. Comp. Laws § 600.3201, § 600.3208, § 600.3216.”



<http://blog.cucollector.com/6th-circuit-court-rules-foreclosure-activities-during-dispute-letter-period-violate-the-fdcpa/>

The opinions of CUCollector are not to be considered as legal advice. Please refer to competent legal counsel before using this opinion as the basis for any legal action.



Letters to the Editor

FEAR AND LOATHING



Fear and Loathing are letters and ideas submitted to PRM. It will be a combination of quotes from submitted member letters/rants along with analogous situations and pertinent business logic and how we can apply it to our daily operations. So if you're feeling frustrated with the daily grind of the Biz and want to vent, send in your letters. We prefer you do it by identifying yourself, but if you choose to remain anonymous, we will respect that and deal with it accordingly. If you have an article you want to have reviewed in whole for publication, please submit it to pastpresident@alliedfinanceadjusters.com.

PRICES AREN'T FAIR

A difficult and exceptionally cold winter this year has made our business more difficult as we have faced equipment problems brought on by this extreme weather. The cost for snow and ice removal and the extra labor to move it, as all things have increased. Utility bills, compliance training, insurance increases, computer equipment and programs have all gone up steadily.



This atmosphere has caused a record number of fellow repossessioners to close their doors and look into other avenues for income. We must band together to stop this working for cheap pay. As a highly skilled and trained professional, we should all demand a fair price for what we do. This is the only service industry that does more and more without compensation. Who else stores and insures someone else's cars, deliver, skip trace, give reports on accounts, and much more for free? Does this sound familiar? In January 1997, we were charging \$275.00 for a base repo, plus keys, storage (no free days), .50 cents a mile traveled, investigative fees \$25.00 per hour, no non-contingent work, and other reasonable fees. These are things from the past. I do not wish to dwell in the past. However, people should learn from the past, thus the small history lesson. In 2008, our standard fees were \$375.00 base repo and all

other charges above with increases in the other fees. In 2010, fees were reduced back to 1997 at \$275.00 as an all-inclusive repo fee. In 2018, we have been charging \$400.00 as a base repo fee to our direct clients, contingent in most cases, other fees, or other related outside services performed were with no compensation. Repossessioners are by far the best at being quick on our feet and are able to

adapt. The changes we have gone through have had a significant toll. This reminds me of a quote from Benjamin Franklin when he addressed the congress in discussions on a voluntary tax to an involuntary tax; "I fear the day will come when we have a require income tax for it will surely make liars and cheats of the American people". This is true today as we must cut, no chop the corners to survive. This has led to a dumb down of the industry and has led to more lawsuits, by a more aggressive means to get the car to make ends meet. This has led to higher cost of insurance and fewer insurance companies willing to insure our industry. The base repossession today based on inflation should be about \$575.00 operating at the level we are at now. People we need to wake up and stop the insanity. We should be fairly compensated for the work we perform.

FLORIDA AG SUES MARLIN FINANCIAL OVER LOAN PRACTICES



Editorial by: Kevin Armstrong, Editor, CURepossession.com, CUCollector.com

Ordered by BCFP to cease making new loans in September, the Florida Attorney General is now asking for a \$10,000 penalty for every unfair and deceptive trade practices act, \$15,000 for instances that affected senior citizens.

5 December 2018 – Florida Attorney General Pam Bondi's office is suing online auto lender Marlin Financial for what it says are unfair and deceptive trade practices.

In a civil lawsuit filed in Hillsborough County in late November, the state's legal arm alleged that an add-on the lender said was optional "was in fact a mandatory feature of loans made to consumers." That add-on, known as a "debt cancellation product," was marketed to customers as an insurance-like product that would wipe out a customer's remaining debt if their car was totaled. Instead it dramatically increased the cost of the loans.

Marlin's debt cancellation product was the focus of a September Tampa Bay Times investigation into the company. It found that Marlin saddled consumers with significantly more debt than they expected, charged interest rates above state limits and failed to give some customers access to items in cars that were repossessed when they couldn't keep up with their payments. For Marlin customers whose contracts the Times reviewed, the debt cancellation cost 125 percent of their loan on average.

Following Times inquiries, the Attorney General's Office launched an investigation into Marlin. Representatives for the Miami-based lender did not return a request for comment early Wednesday afternoon.

The attorney general considers the debt cancellation product mandatory, the lawsuit says, because of the conditions a customer had to meet to decline it and still take out a loan. A customer would need to have pre-paid, full comprehensive and collision auto insurance with a deductible of no more than \$250 for the lender to agree to waive debt cancellation.

"Borrowers found such insurance coverage either impossible or virtually impossible to purchase," the lawsuit says.

Because the product is a condition of taking out a loan with Marlin, the company should have included the fee for it in its calculation of the loan's interest rate, which Marlin did not, the lawsuit says. Marlin also charged interest on the debt cancellation "as if it were part of the financing agreement."

This led to some customers' cars being improperly repossessed and later sold, the lawsuit says, as customers defaulted when they could not make their high payments.

The attorney general is asking for a \$10,000 penalty for every unfair and deceptive trade practices act, \$15,000 for instances that affected senior citizens.

"It should be noted that generally enforcement actions pursued by our office do not affect a consumer's right to pursue legal remedies," said Whitney Ray, director of communications for the state Attorney General's Office, in a statement Wednesday.

In a temporary injunction signed by Marlin's president, Jeremy Tolan, and the Attorney General's Office, Marlin agreed not to offer debt cancellation on any new, refinanced or renewed loans. It also cannot collect debt cancellation charges on outstanding loans, including ones that customers have already defaulted on, unless those collections are put into an escrow account from which Marlin cannot make any withdrawals.

Marlin also is prohibited from charging its customers interest on the debt cancellation and from repossessing or selling any repossessed vehicle where the customer defaulted because of the rates charged that included the debt cancellation cost.

As part of the injunction, Marlin is required to provide the attorney general with information about the debt cancellation charged on loans from 2014 to the present. For all loans the company issued that are currently in good standing, Marlin is required to modify the payments to exclude any debt cancellation charges.

Marlin must consult with the attorney general, the injunction says, about what to do with any vehicles it has that were repossessed because of the inclusion of the debt cancellation in the loan.

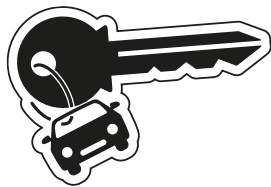
The company stopped taking new loans in late September following the investigation. U.S. Rep. Charlie Crist called for the Consumer Financial Protection Bureau to investigate Marlin following the Times' investigation. In a letter, acting director of the bureau, Mick Mulvaney, said the federal consumer watchdog was "evaluating actions we might take in response."

"I applaud the state for taking action, sending a strong signal that if you abuse consumers you will not get away with it," Crist said in a statement about the lawsuit. "I hope to see the Consumer Financial Protection Bureau join the state in holding these bad actors accountable."

Source: Tampa Bay Times

ARTICLES WANTED

Locksmith Corner



Tips for people and best practices in our industry!

BECOME A NATIONAL AUTOMOTIVE SERVICE TASK FORCE VEHICLE SECURITY PROFESSIONAL

The nastf.org website states “ The National Automotive Service Task Force (NASTF) is a cooperative effort among the automotive service industry, the equipment and tool industry and automobile manufacturers (OEMs) to ensure that automotive service professionals employed outside the OEMs franchise system have the information, training, and tools needed to properly diagnose and repair today’s high tech vehicles.” First paragraph and you may already be nodding off, but dont!

What this means to repossessioners and locksmiths is that you can get key codes from the manufacturers for a price. There are lots of hoops to jump through and for good reason, too. The cost for a key code varies depending on the manufacturer. Nastf also has a sign up fee and annual renewal fee. And as always the variable costs...learning the new system, logging in and completing online forms, paying for them, paying the bookkeeper to expense it all too and so on and so on.

I had the pleasure of speaking with Donny Seifer of NASTF. Donny has been involved with NASTF from the beginning. Nastf was established in the fall of 2000. He also owns a automotive shop that does security repairs and electronics for over 30 years. According to Mr Seifer Nastf got started so that shops could get service information for emergency lockouts and repairs. He has been instrumental in restricting key code and pin code information to credentialed Vehicle Security Professionals.

This kind of information needs to be controlled and Nastf is basically the virtual security guard on the internet. The days are gone where you could just call and get a key code from a dealership...so sad..it was so fast, easy and cheap. But there were some people who were getting that information for nefarious purposes and they mucked it up for everyone.

In order to have access to key codes and immobilizer pins you would need to join up and become Vehicle Security Professional with NASTF. You will need the following things to get started.

1. Locksmith license if required by your state
2. Appropriate insurance - I used my Fidelity/Crime Coverage Policy that I have through my membership in Allied Finance Adjusters.
3. Registration fee
4. Complete the online process which includes a background check.
5. A photo ID
6. Business license

We Support



Once you become a VSP...never ever share your user name and password with an employee. You have to be the primary account holder and you employee can have their own sub account. This way if they leave you employ you can deactivate their access. Only W2 employees can have sub accounts.

BECOME A NATIONAL AUTOMOTIVE SERVICE TASK FORCE VEHICLE SECURITY PROFESSIONAL

For those who are already signed up with NASTF you are already aware of the massive changes to the way we get codes. Yes it is much, much more time consuming and complicated with two factor identification and uploading repossession orders with all the debtor's names and all the other NPPI redacted or a D1 form. But on the plus side NASTF now houses all that information for you with bank level encryption and they can do audits in minutes. The migration to the new sdrm.nastfsecurityregistry.org website is manageable if you follow the directions step by step. Thank goodness there are YouTube videos to help out.

I recommend if you are making keys to sign up with NASTF as key code brokers may end up being a thing of the past. Auto makers soon may not allow keys to be cut and shipped unless there is a credentialed VSP receiving the key.

Nastf.org will have a booth at the 2019 JUSTCARS AUTO EXPO in Las Vegas in April. Check it out at justcars.us. Hope to see some familiar faces there.

Jeanne Lewis, VSP



If you have an article you want to have reviewed in whole for publication, please submit it to pastpresident@alliedfinanceadjusters.com.

Allied supports State Associations

Illinois Recovery Association (IRA)

The Illinois Recovery Association has been servicing the recovery agencies in Illinois since 2002. "The Road Ahead Starts Here"

Become a IRA Supporter or Member Today!

Visit www.illinoisrecoveryassociation.com for more information or call (708) 921-3575

Jon Jendral- President



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

Florida Association of Repossessor

Florida Association of Repossessor is a newly formed group supported by AFA and a meeting is being put together to pick board members and establish rules and or Bylaws.

Web site is; <http://www.flarepo.org/>. For information visit our website or

Contact Allied Finance Adjusters at 1-800- 843- 1232.



Michigan Association of Repossession Agencies (MARA)

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

The Michigan Association of Repossession Agencies was formed to keep repossessioners in our state educated and informed about issues that may affect them. There has been a lot of discussions lately among the repossession industry trade groups about contracts, client requests, compliance and laws. We have heard from several repossessioners in Michigan that are having issues with insurance. There is a lot of concern from local agents on how they may be affected by a large, conglomerate repossession agency opening in our state. Please consider joining our Michigan Association to help increase our network of local agents and to keep informed of topics that may affect our industry.

Become a MARA Supporter or Member Today!

Contact us at michassocrepo@gmail.com or call 616-552-5674.



Texas Accredited Repossession Professionals (TexasARP)

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

Stephanie Findley, President

info@TexasARP.org



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



Allied supports State Associations



CALR is proud to introduce G.V. Ayers as their new lobbyist.

Legislation is so important for our industry. We will one day have a legislative voice on a national level. It's been a long time coming and long overdue. If the nation as a whole could adopt legislation and have representation at the capitol in Washington D.C. as CALR does in Sacramento, California.

The lenders do not want to lose their privilege of self-help repossessions. They will need to support us going forward if they want us to stay in business.

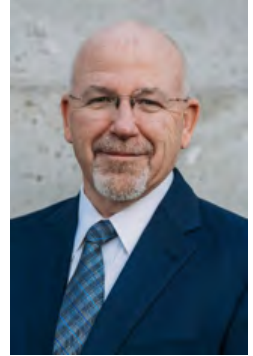
Here is a little bit of background on G.V. Ayers

CALR Members meet G.V. Ayers.

CALR's new Lobbyist, Mr. Ayers of Gentle Rivers Consulting has 25+ years' experience with all levels of California state government, working as Consultant to the Senate Business and Professions Committee, and as a Bureau Chief in the Department of Consumer Affairs. He established and operates Gentle Rivers Consulting LLC, a lobbying and advocacy firm which represents clients before the Legislature, state Agencies, and the Governor's Office.

He served as lead consultant for Sunset Review, analyzing numerous Sunrise and Sunset Reports as well as shaping a wide range of legislation, including Collateral Recovery Act measures, for the Senate Committee. He brings his extensive understanding of drafting and negotiating legislation, and crafting and analyzing public policy at the Legislature, along with his background as Chief of a professional licensing and regulatory program to provide unparalleled service to both his licensee and consumer clients.

Ayers looks forward to positioning CALR's priorities and interests in the best light in the Legislature and advocating on behalf of legislation that protects licensed repossessioners as well as protecting vulnerable consumers in California.



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AMERICA'S FIRST STRAW BUYER AUTO FRAUD CASE - 1941

Editorial by: Kevin Armstrong, Editor, CURepossession.com, CUCollector.com

Dealer Is Seized in Get-Rich Auto Fraud; Policemen Are Linked to Sales Swindle

Any of us that have been in the auto lending and collections industry for any significant period of time have encountered "straw buyer" scams and con artists perpetrating them. As obvious a scam as they might seem to us, there are always people out there that fall for this and someone who gets away with it. While, I thought this was a relatively new phenomenon of the past twenty or thirty years, I'd recently found that the first documented case was over 70 years ago!

I always thought Auto Lending Fraud scams were a relatively new phenomenon. After all, white-collar crime has risen as banking and new technologies have emerged over the last 20 years.

Choice Motor Sales

The fraud enterprise, was run by an independent dealer, named Michael Boras of Brooklyn, NY based Choice Motor Sales of 1743 Bushwick Ave., Brooklyn, NY, who recruited a vast array of straw buyers, ranging from street vendors, bartenders, truck drivers and even five NY cops!

For a mere \$10-\$15, these "straw buyers" would sign on the dotted line for loans on autos, which Boras would convince them would be paid off shortly, while he received his customary \$600 dealer commission from the finance companies.

Boras would later sell the vehicles for cash, which he would then use to make payments on the loans and perpetuate the scheme. Basically, a traditional "Ponzi Scheme."

Keep in mind, this was before WWII!

Alas, like all Ponzi Schemes, it finally came crashing down.

When it All Fell Apart

Twenty loans and two years later, the three defrauded finance companies began to notice the common threads, when the loans defaulted and they eventually discovered that the vehicles were not in possession of the alleged borrowers. \$100K in losses later, the District Attorney was brought in and uncovered Boras's "straw buyer" scheme.

Boras pleaded not guilty of the charges and made bail of \$2,500, while the five NYPD officers involved were reprimanded internally for their participation.

The Dealer at 1743 Bushwick

Not surprisingly, the location of Choice Motor Sales is still a car dealership. With obvious new owners, unrelated to the aforementioned Boras, FM Auto Sales now operates from the very same lot.

Dealer Is Seized in Get-Rich Auto Fraud; Policemen Are Linked to Sales Swindle

A get-rich-quick scheme described by Special Prosecutor John Harlan Amen in Brooklyn as "a streamlined version of the Ponzi system of pyramiding pennies into thousands of dollars" was disclosed yesterday with the arrest of a middle-aged automobile sales dealer on forty counts of grand larceny in which several large automobile finance concerns were victimized.

The defendant, Michael Boras, 41 years old, president and sole owner of the defunct Choice Motor Sales Corporation, formerly located at 1743 Bushwick Avenue, Brooklyn, allegedly operated the swindle with the aid of policemen, night-club entertainers, hot-dog vendors, book-makers, motormen, truck drivers, telephone operators and bartenders, some of whom are alleged to have permitted the use of their names without knowledge of the fraud and others for gratuities of \$10 and \$15.

The indictment cited twenty transactions, all involving a complicated system of the sale of fictitious contracts and notes with the N. B. I. Corporation of New York, described as a wholly owned subsidiary of the National Bond and Investment Company of Chicago. Mr. Amen said that two other concerns were victimized and that the transactions mulcted the companies of about \$100,000 in two years.

According to Mr. Amen the scheme was worked by Boras selling cars to customers for cash and

immediate delivery. He would then have a policeman, bartender or somebody else, usually an acquaintance for whom he had done a favor in the past, sign a conditional purchase contract and notes covering the same car. The contract and notes would be sold to the finance company and Boras would receive about \$600 on each transaction. The finance company would send an eighteen-month installment booklet to the supposed purchaser and Boras would make the payments.

Mr. Amen said that Boras made a succession of such deals, pyramiding his obligations, and that the inflow of cash from the finance company as well as the actual sale of the cars in question enabled him to meet the payments while retaining a large illegal profit. Because Boras had to keep on making cash sales, Mr. Amen said, his eagerness aroused the suspicions of the finance company and an investigation showed that none of the supposed purchasers possessed the cars involved.

Arraigned before Justice John MacCrata in Brooklyn Supreme Court, Boras pleaded not guilty and was released in \$2,500 bail. Mr. Amen said that five policemen were involved and added that appropriate proceedings, disciplinary or otherwise, would be instituted against those found to have knowingly participated in the alleged larcenies.

The New York Times
Published March 26, 1941

Women in the Repossession Industry

By Heidi Kiel, Staff Writer



Lois Morrison

needed more help, so he agreed to give her a job and she was determined to prove that he made the right hire!

Michigan Creditors Service, Inc. (MCS) had just moved into a larger facility to accommodate their growing operations. Lois was hired as a receptionist, there was no voice mail back then, she didn't have a computer at her desk, so all information was hand written and transcribed to the agents and office staff. Lois had great communication skills and easily developed relationships with the lenders over the phone. As technology advanced and computers came into the picture, Lois handled the data entry of new repossession accounts. New accounts primarily were faxed over and each account had to be manually entered into the computer and then handed off to the field agents.

Lois became the main person to handle updates from the field agents. Working with the field agents led her to become an excellent skip tracer because she wanted to uncover the information they needed to recover the vehicle. She learned to run basic reports and made phone calls to debtors to convince them to turn over their vehicles, a listening ear is often all it takes to get the

information you are seeking. The hardest part of her job is listening to debtor's stories when they are faced with challenges that resulted in the repossession.



As the number of local accounts increased, so did the need for a dedicated employee to facilitate repossessions that were outside of Michigan. Lois educated herself and became well-versed in other state's repossession requirements using information provided in the directories from the major repo associations. She developed good relationships with agencies in all 50 states and handles out-of-state repossessions for many lenders.

For the past twelve years, Lois has also worn the hat of title clerk for MCS, ordering repossession titles for vehicles they are selling. A few years ago, she became versed in the selling process to provide support to the Sales Department and help with vehicle sales. She wears many hats, and has certainly proved to be valuable to the family-owned repossession agency.

Lois enjoys spending time with her family, camping, bowling and riding on the back of her husband's motorcycle when the weather allows! She has made a career working for a repossession agency and is one of the most knowledgeable women you'll meet working in this industry.



Heidi Haskins Kiel

When Can I Shoot the Repo Man?

Guest Editorial by Ron L. Brown



In today's world of asset recovery, we are encountering more and more consumers who carry concealed firearms. Numerous states have enacted concealed and open carry laws and many of the people we meet while attempting to recover mortgaged property carry a firearm or edged weapon regardless of the laws. I also would acknowledge that many recovery agents carry firearms, knives or other offensive and defensive weapons ranging from tire bats and chains to fire extinguishers and pepper spray.

I think it is important for the agent in the field to have an understanding of what the consumer thinks they can or cannot do if the agent enters upon the consumer's property and to that end the members of Eagle Group XX would suggest you share this information with your field agents as they have shared it with the industry.

First you must understand and consider "Trespass" ... the contractual agreement gives the agent the right to enter upon private property and recover mortgaged property if there is no "Breach of Peace". With this right the mere entering on the property would not normally be considered a "Breach of Peace". A "Breach of Peace" would occur if the agent cut a lock to gain entry, opened a secured gate,

opened a closed door and the agent would lose their right to repossess the collateral and possibly place themselves in a position for bodily injury inflicted by the consumer. What if the property has displayed signs stating, "NO TRESPASSING" or the more threatening "TRESPASSERS WILL BE SHOT"... would these give the consumer the right to "defend with deadly force"?

The initial question asked by the consumer then is "Can I shoot someone who is trespassing on my property?" Obviously, the answer must always be focused on circumstance, such as if this theoretical person was breaking into or had broken into the property and was perceived to be a threat rather than if someone who was just on their property,

So, for the agent the question then evolves to, "If I, as a recovery agent, am on the property owned by the consumer or a third party, is the property owner or consumer legally allowed to use deadly force?"

While still being a very grey question, my general answer will always be "no", but there are always other circumstances to consider such as the time of the day or night, was a gate entered, was there any "NO TRESPASSING" signs, the size, age and demeanor of the agent may even be a factor.

When Can I Shoot the Repo Man?

First, it is important for an agent to note and understand that the courts will take a high view of an individual's property rights. The act of trespassing itself may be actionable in both civil and criminal courts of law and if there was in fact an action which would constitute a trespass the right to self-help repossess will be lost. The recovery agent should understand that there are two legal doctrines may apply, based on their state laws.

Stand Your Ground laws and the Castle Doctrine are the laws which the recovery agent should have a full knowledge of.

Stand Your Ground laws are implemented on a State by State basis and are essentially the ultimate basis for property rights: You have no duty to retreat from a place that you are legally entitled to be. Reasonably perceived immediate threats of serious bodily harm may be met with any level of force.

An argument can be made that if someone reasonably perceived an immediate threat of serious bodily harm they could, in fact, shoot that person who was perceived as a threat and who was also perceived to be trespassing on their property.

The Castle Doctrine, often expanded and cited as the basis for Stand Your Ground laws, is a commonly known legal doctrine that holds true to the general principle that one's abode is his "castle" and that he does not have any duty to retreat in said home. He has the right to protect his "castle" from intruders. It should be noted that the Castle doctrine is not an actual law, but a collection of principles that can be invoked in many jurisdictions as a form of defense to a murder charge. It is also somewhat specific to one's abode rather than just the general idea of one's property but in many cases a garage or even a car port has been recognized as part of the abode.

The Castle Doctrine still requires an immediate threat of physical harm with the reasonable perception of injury to either the property owner or another.

This is where the mitigating circumstances of time of day or night, size and age and demeanor of the agent enter the picture. Even the number of agents or their assistants may enter the picture.

For the professional asset recovery agent "Trespassing" can be a very grey area. If the agent is merely present on the consumers property it is highly doubtful that the consumer or third party would be legally entitled to use deadly force against them. But it is extremely important that the agent understand that any threatening language or behavior, the cutting or breaking of locks, opening and entering closed doors and numerous other factors could certainly rise to a level where deadly force could be justified and would be legally acceptable.

In my many years in the asset recovery industry I have never seen a vehicle worth anyone's life... not the agent, not the consumer and not any third party. In every case where I have worked as an expert witness all parties involved were filled with deep remorse and regret.

The Credo of Eagle Group XX is "DIA MATHESEOS DYNAMIS", Through Knowledge Power and I hope this knowledge provided with this short missive benefits the readers.



Ron L. Brown

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HOW TO PREPARE WHEN YOUR INSURANCE COMPANY NO LONGER WILL INSURE YOU?

Cover
Story



*You may have heard of the book, *What to Expect When You're Expecting* – an old favorite of expectant families for years... a book title you haven't seen though is *What to Expect When Your Insurance Is Non-Renewed*.*

It was recently reported that a fairly large insurance program that was available to repossession agency operations has exited the market. This news is certain to send some into an all-out panic as they desperately search for a new insurance market. Losing your insurance carrier can be a scary process, but here are few notes about what to expect:

- 1. Expect your agent to be reassuring that he/she will find you another market.** No one likes the thought of losing business and insurance agents really do not want to disappoint their clients. But, this is a tough market, so you may not want to rely solely on your agent's sincere desire to find you other coverage and find yourself run up to the 11th Hour and getting a Dear John letter from your agent advising you that they weren't able to place your coverage. Be Proactive!
- 2. Expect your rates to be higher.** RSIG has said for years that the low prices repossessioners leave us for or tell us they have when coming to us are too low for the market to sustain. That is why carriers leave the market. So if you are able to find a new carrier individually in the market, expect higher rates. No one likes to have to pay more, especially when you are being paid less, but insurance companies cannot control what rates you are willing to work for; and successful/long term insurance providers know they have to price their policies so they can pay claims and the carrier can still make a profit.
- 3. Expect to be declined.** If you have been surfing the insurance market place year after year with different carriers to get the cheapest rate AND you have sustained losses (even just a single claim); expect to hear more "No" than "Yes" answers. Unfortunately, insurance is becoming less relationship based and more numbers based than it used to be. So if you have been going from carrier to carrier for lower rates and have had losses, then your premiums paid in will be less than losses paid out and you're not a profitable account. Not being a profitable account, in a pure numbers world, means the carrier won't be interested.

Continued on next page

HOW TO PREPARE WHEN YOUR INSURANCE COMPANY NO LONGER WILL INSURE YOU?

4. Expect to have to answer more questions and provide more information. Underwriters in today's market are all about data. So if you've had losses, expect to share your plan on how you're avoiding these losses in the future. If you have drivers with violations and suspensions, expect to be asked to explain why you're willing to let these drivers in your vehicles with what amounts to a blank check (subject to policy limits) and to explain your management and hiring practices.

Finding an insurance market depends a lot on how good the program or account can be sold to an insurance underwriter. Insurance carriers have different histories with particular lines of business, different appetites and different motivations for taking on new business. One insurance agent may approach a carrier and be immediately shot down, while another may approach a different underwriter or even the same one on a different day and get a different answer; it is all in how the account or program is sold. This is one part of insurance that has remained relationship based, for now. But in saying that - this is also where aggressive insurance agents oversell a carrier on the amount of business they can bring to the table or undersell the true risk in the industry because they want to just get that carrier on board. That is part of the reason you'll see some carriers who used to write this market come back in after a few years. It isn't because the repossession industry has gotten so much better in terms of claims (quite the opposite); it's how the program is sold... and then ultimately how it performs.

It is up to you to be sure the information you are attesting to on any application you send is true. If it's not true - it's fraud! In order to get a carrier to say "Yes" some agents are known to be creative on the carrier submission. Some things to look for:

- If your business is majority repossession, make sure the application shows that. Carriers can cancel during the underwriting period if they find out your business operations were misrepresented. Carriers can non-renew if this information is found out after the underwriting period and can cancel mid policy if they found out information about you or your company that substantially increase the risk to them.
- Be sure your operations occur and vehicles are shown as garaged where you are actually located or in the correct location if you have multiple locations. Some agents have been known to submit applications showing more expensive vehicles or all vehicles or operations in a different zip code in order to try to get more favorable pricing.

NO INSURANCE

Continued on next page

HOW TO PREPARE WHEN YOUR INSURANCE COMPANY NO LONGER WILL INSURE YOU?

- If your application asks for revenue information, don't under report your revenue; as this could lead to a significant bill at the end of the policy if/when your policy is audited. You may have a lower premium for the policy year, but it could be a huge balance owed that typically can't be financed on audit day.

One thing to keep in mind is that if you're being proactive and shopping your policy with multiple insurance agents (See Expectation #1) – that those insurance agents are likely submitting the application to the same carriers and sources, because let's face it – there aren't a ton options. So if the carrier sees multiple applications for the same company, but the information is reflected differently in terms of operations, garaging locations, revenues etc. it will fire up a red flag and there will be some explaining to do. (Please refer back to Expectation #3!)

Recovery Specialist Insurance Group has been supporting and insuring professional repossessioners exclusively for more than 30 years. We survive the ebbs and flows of the market with proper pricing, strong underwriting and a dedicated focus on education, training and the success of this industry. Contact RSIG today, 703.365.0199 or www.rsig.com, to see if we can help with your repossession insurance and training needs.

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REPO19

Rethink • Engage • Participate • Organize

Hosted by: RSIG & Allied Finance Adjusters



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Join Recovery Specialist Insurance Group and Allied Finance Adjusters Conference Inc in Phoenix next June at REPO19!

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- **Engage** – other repossessioners and lenders to network and brainstorm
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- **Organize** – working together with fellow industry leaders



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SAVE THE DATE • SAVE THE DATE • SAVE THE DATE

2019's co-hosted event will be held at the residential style all-suite, Arizona Grand Resort and Spa where we have negotiated a fantastic room rate of \$139 and NO resort fee! The Arizona Grand recently finished a multi million dollar renovation in the fall of 2017 and will be your home away from home June 18 – 21! The Arizona Grand is home to Oasis, one of the Top 10 water parks in the US – perfect for attendees wanting to share the conference experience with their families. If golf is your thing, the Arizona Grand has a challenging par 71 layout with elevation changes and gorgeous views of the desert landscape and mountain vistas; and after golfing and the water park visit the Arizona Grand Spa to rejuvenate!



Schedule on next page...



RECOVERY SPECIALIST INSURANCE GROUP

Tentative Agenda - REPO19
Speakers and Times Subject to Change



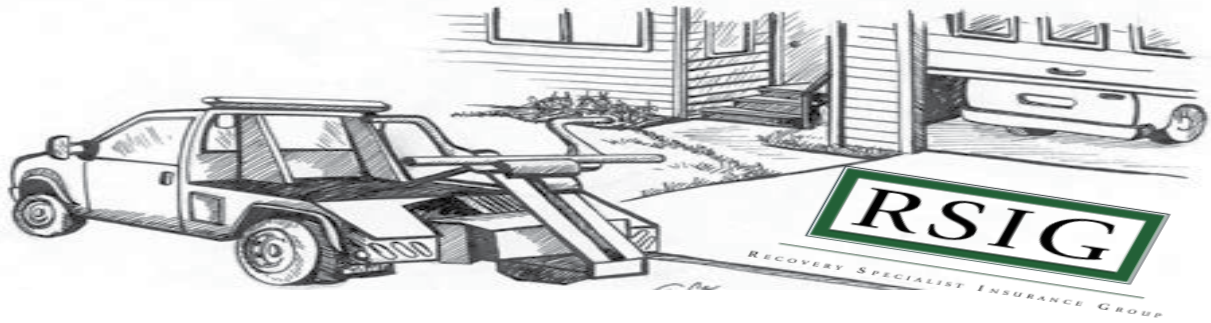
Day	Date	Event	Start	End
Tuesday	6/18/2019	Exhibitor Set Up	8:00 AM	4:00 PM
Tuesday	6/18/2019	Allied New Member Orientation	1:00 PM	2:30 PM
Tuesday	6/18/2019	Allied Pre-Con Board	3:00 PM	5:00 PM
Tuesday	6/18/2019	Welcome Reception w/Exhibitors	6:00 PM	9:00 PM
Wednesday	6/19/2019	Breakfast	7:00 AM	8:30 AM
Wednesday	6/19/2019	Introductions/Welcome Remarks	8:30 AM	9:15 AM
Wednesday	6/19/2019	*Handling Difficult Situations w Jack Schafer	9:20 AM	10:35 AM
Wednesday	6/19/2019	AM Break	10:35 AM	11:00 AM
Wednesday	6/19/2019	*Handling Difficult Situations w Jack Shafer	11:00 AM	12:30 PM
Wednesday	6/19/2019	Lunch	12:30 PM	1:45 PM
Wednesday	6/19/2019	*Case Law that effects you w Machel Morris & Mike Howk	1:50 PM	3:20 PM
Wednesday	6/19/2019	PM Break	3:20 PM	3:40 PM
Wednesday	6/19/2019	RSIG Member's Business Meeting (Members Only)	3:45 PM	5:00 PM
Wednesday	6/19/2019	RABF AUCTION/RAFFLE	6:00 PM	9:00 PM
Thursday	6/20/2019	Breakfast	7:00 AM	8:30 AM
Thursday	6/20/2019	*Training	8:45 AM	10:30 AM
Thursday	6/20/2019	AM Break	10:30 AM	10:55 AM
Thursday	6/20/2019	*Driver Behavior w Mark Ross	11:00 AM	12:00 PM
Thursday	6/20/2019	Lunch	12:30 PM	1:30 PM
Thursday	6/20/2019	*CFPB Training w Mike Howk	1:45 PM	3:55 PM
Thursday	6/20/2019	Allied Business Meeting (Members Only)	4:00 PM	5:30 PM
Thursday	6/20/2019	Awards Dinner w/ Entertainment	6:30 PM	10:00 PM
* Indicates CE Requirement				
Friday	6/21/2019	RSIG Board Meeting	8:30 AM	10:30 AM
Friday	6/21/2019	Allied Board Meeting	8:30 AM	10:30 AM

If you are a voting member of RSIG or Allied, please note the dates and times of the association meetings and plan your travel accordingly if planning to participate in those events.

Dress Code for the Conference is Business Casual. No Jeans & Preferably No Shorts during conference meetings or training events.

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An Eagle Flies Over the Horizon

Guest Editorial by Ron L. Brown



It was a beautiful day in Houston Texas with a clear blue sky, temperature in the low 80s with a mild southerly breeze. I had my windows down and was earnestly looking for the agency lot. It had always been easy to spot with its security gate, cameras and a lot full of automobiles, trucks and “Yellow Iron”, bulldozers, skid steers and front-end loaders. Had I missed the lot? Had I been daydreaming and gone past the facility. No... I checked an address and I was in the correct hundred block. Then I saw it and it hit me like a brick going through a plate glass window. My stomach churned, and I started to gasp for air. The lot was empty... nothing... nada... zero.

The owner had told me he had a surprise for me, but a completely empty lot was not what I had anticipated. The gate where I entered was usually shut and required a passcode to open it, this time it was wide open. The shop which was usually busy with employees inventorying personal property and doing condition reports looked like a ghost town with not a single soul around.

I parked and entered the office door, which usually required a person to “buzz you in” was open and the interior was dimly lit. The shelves which usually contained TFA, ARA, NFA and Allied Directories were bare. The shelves which had previously been

full of years of photographs and mementos from various people and entities were empty. Boxes sat around the walls which were once covered with plaques commemorating past awards and achievements were now completely bare.

I instantly knew what the “big news” was... another agency was shutting its doors forever. Another person with many years’ experience in the recovery industry, with knowledge that far surpassed the “newcomers” was exiting this once thriving industry.

I was greeted by my longtime friend and I could utter but one word, “Why”.

My close friend of many years invited me to sit and as we both enjoyed a small glass of Jack Daniels, neat he began to explain the reasons he was making a smooth and quiet exit from the recovery industry.

He explained that he had worked many years to bring professionalism to an industry with a tarnished reputation, that he had strived to show clients how hard a professional recovery agent worked to locate and recover their collateral. How he had given of his time, his knowledge and his fortune to industry associations and had stood by the little guys with the small agencies and helped them in every way possible.

He then lowered his shoulders and eyes and went on to describe an industry brought to its knees by large lenders, forwarders and monopolistic groups who were interested not in quality service as much as lower rates, free storage, free delivery to the auctions, discounted key charges and anything else they could chisel the price down on. He spoke of his friends in the industry who he had shared so many good times with who now were reduced to working for pittance, gone out of business or had quietly passed away.

I could see the disappointment in his eyes and hear it in his voice as he spoke of how he had stood

An Eagle Flies Over the Horizon

alone so many times, fighting for the individuals in the industry and their collective rights, and how in the end his efforts were to no avail as one by one the men and women he fought for moved to the other side and succumbed to the demands of the “Big Boys” who dictated fees and services. Men and women who no longer controlled their own businesses. I could see the pain of that in my dear friends eyes knowing there was nothing else he could do, “Alea lacta est” ... the die is cast.

In visiting with my friend, I realized it was truly the end of an era. An end, in the asset recovery industry, to a business model where a person oversaw their own fate and their own future. It was the end of an era marked by pathfinders and visionaries and I knew his name could be added to the list of Icons, Leaders and Industry Giants such as Harvey Altes, Joe Scharlin, Jack Barnes, Burt Greenwood, Fred Stallworth, Barbara and Don Blanchette, Gerald Farese, Sheldon Goldfarb, Huey Mayronne, Don Thornton, Jack Kalman and Chuck Longobardi. To this list we now can add the name of the man who stood the ground, who goes down with dents in his shield and blood on his sword, MILLARD LAND.

Effective December 1, 2018, after 72 years of operation, Adjusters, Inc. has shut its doors. Millard Land, after serving this industry tirelessly since 1973, after striving to bring professionalism to the asset recovery industry is going to take a much-needed rest.

Millard plans on spending more time with his lovely wife, Cathey, travelling around the country and relaxing with his friends.

I have known Millard since 1982 and in that 36-year span, I have rode a few rivers with him, crossed a few mountains with him and shared a few glasses of outstanding scotch with him. The one thing that has always endured me to him was his loyalty, his loyalty to not only his family and friends but his loyalty to every person in the recovery industry.

Man, woman, friend or foe... when the time came and you needed his help he was always there.

I formed a small group of 20 members of the recovery industry 9 years ago and we decided to call ourselves “EAGLE GROUP XX”, Millard Land, EGXX01, was the first person to step up and commit to the group, he made a commitment of his time, a commitment of his capitol and most importantly a commitment of his loyalty to the other members of the group. Since that day he has never faltered in those commitments and it with mixed emotions I accept his departure from the group. He has been named “Eagle Emeritus” and will always be a part of the Eagle Group XX Legacy.

I, as do the other members of our group and all of those he has touched through the years wish him well, we hate to see him depart but we are happy to see him enjoying life.

P.S. Those of us who know Millard are sure he is not going to a life of recluse and leisure, and we are sure we will encounter him many more times in the not too distant future... Until then he remains

“MI AMIGO SIEMPRE”



Ron L. Brown

MCE, IFCCCE, MPRS, CCCO, CARS, CFA

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Anything, Anytime, Anyplace... Professionally

SUPREME COURT WRESTLES WITH DEFINITION OF “DEBT COLLECTOR”

Editorial by: Kevin Armstrong, Editor, CURepossession.com, CUCollector.com



In order to establish what the law meant by “debt collector,” the justices sparred with counsel for much of the argument over the similarities between a law firm seeking to foreclose on a property and a repossession agent, or repo man, who arrives in the “dead of night.”

Washington DC – 7 January 2019 – The Supreme Court is attempting to resolve a legal question that could have broad ramifications on hundreds of thousands of Americans who are foreclosed on without a judicial process each year. A key issue in the matter is who or what can be considered a “debt collector.”

The justices were divided, but not into clear ideological zones. Chief Justice John Roberts and Justice Brett Kavanaugh, Republican-appointed conservatives who are typically business friendly, were among the most skeptical questioners of the respondent in the case, a law firm working on behalf of Wells Fargo.

To be sure, there are ideological divides at issue. Sen. Elizabeth Warren, D-Mass., who announced a formal step toward a bid for the presidency last month, took a public stance on behalf of the petitioner in the case.

Warren, alongside potential 2020 contender Sen. Sherrod Brown, D-Ohio; Rep. Maxine Waters, D-Calif.; and a slate of other liberal lawmakers, filed a brief outlining what they believed was Congress’s intent in drafting the law at issue.

On the other side was the Trump administration, which dispatched the solicitor general, as well as powerful business interests including the Chamber of Commerce and associations representing bankers.

The case centers on Dennis Obduskey, a Colorado man who defaulted on his \$329,940 home loan in the aftermath of the 2007 financial crisis. The question in the case is whether Obduskey is entitled to legal protections for debtors provided by Congress in 1977, or whether the foreclosure is exempt because it is Obduskey’s home, and not money, that is at stake.

Obduskey obtained his home loan from a company called the Magnus Financial Corporation in 2007. Like many other Americans, he defaulted on the loan in 2009.

The bank then attempted to foreclose on Obduskey for six years, to no avail. Finally, in 2015, Wells Fargo retained a law firm — McCarthy & Holthus — to handle the foreclosure proceedings. But, as of the latest briefs in the case, Obduskey’s home has yet to be sold.

The question of whether a law firm seeking to foreclose on a property is a debt collector is one that could affect millions of Americans. In 2016, about 200,000 homes were lost to foreclosure in states that permit lenders to foreclose on a property without going to court. Business groups have argued that these so-called non-judicial foreclosures are more efficient and fair to borrowers. Progressives say borrowers are entitled to more protections.

Obduskey’s attorney, Daniel Geyser, argued that McCarthy & Holthus is a debt collector and therefore required to comply with certain procedural protections contained in the 1977 Fair Debt Collection Practices Act. That law was passed to prevent debt collectors from engaging in abusive or predatory practices.

But Kannok Shanmugam, the attorney for the respondent in the case, argued that the FDCPA does not apply because, he said, the firm is not a debt collector. Shanmugam argued that Congress has long made a distinction between those collecting debts and those who seek to enforce security interests, or collect property that is owed without demanding payment.

SUPREME COURT WRESTLES WITH DEFINITION OF “DEBT COLLECTOR”

The court is expected to issue a ruling by late June and the Justices appear to be split in opinion.

The fight seemed to split the justices into their unusual camps, with Roberts at one point remarking to Shanmugam that the law is “not the way you would have told Congress how to write the statute.” Neither was it the way “your friend on the other side” would want Congress to write it, he added, referring to Geyser.

Kavanaugh suggested that he believed the firm was a debt collector. The purpose of a foreclosure, he said, is telling somebody “you need to pay or you’ll lose your house.”

Roberts added that “it certainly is an indirect effort to collect the debt,” which led Shanmugam to concede that Roberts’ point “makes it harder for me,” before he pointed to what he said was a longstanding distinction between debt collectors and those seeking to enforce security interests. It would not make any sense for Congress to distinguish between the two groups if someone enforcing a security interest is a debt collector, he said.

Importantly, the meaning of “debt collector” under the law does not necessarily have to hew to what it means in common speech. Indeed, McCarthy & Holthus itself sent Obduskey a notice identifying itself as a debt collector and requesting payment, which a federal appeals court said was not enough to invoke the FDCPA.

In order to establish what the law meant by “debt collector,” the justices sparred with counsel for much of the argument over the similarities between a law firm seeking to foreclose on a property and a repossession agent, or repo man, who arrives in the “dead of night.”

Justice Sonia Sotomayor, however, appeared to agree with Geyser’s argument that the firm could be both, and noted that “what’s really at issue is the unfair practices.”

The justices were missing Ruth Bader Ginsburg, who did not attend oral arguments for the first time in more than 25 years on the bench.

The federal appeals courts are divided on the issue. At least two federal appeals courts have reasoned that “debt is synonymous with money” and so the FDCPA therefore would not apply to a law firm that is seeking to collect property.

The district court dismissed Obduskey’s complaint on those grounds, and that decision was ultimately affirmed by the U.S. 10th Circuit Court of Appeals.

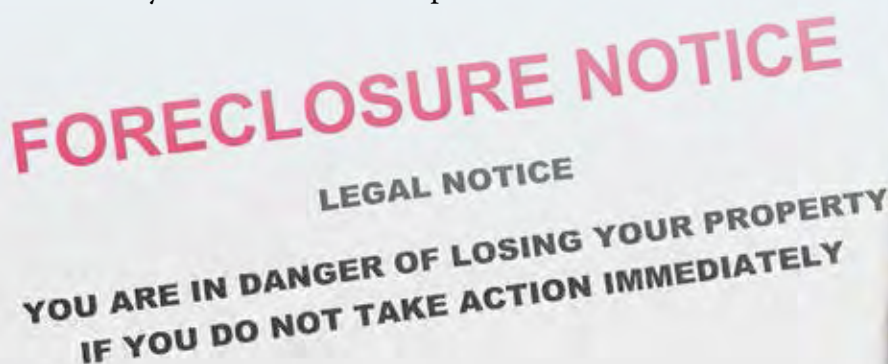
At least three other federal circuits have staked out a different interpretation of the law. For instance, the 6th U.S. Circuit Court of Appeals has held that every mortgage foreclosure is undertaken “for the very purpose of obtaining payment on the underlying debt.”

The court, in the 2013 case *Glazer v. Chase Home Finance*, held that there “can be no serious doubt that the ultimate purpose of foreclosure is the payment of money.”

In a brief, an array of business groups including the Chamber of Commerce and the Mortgage Bankers Association wrote that applying the FDCPA protections to the foreclosure process would add “an additional, unwarranted layer of complexity in the foreclosure process, thereby harming both lenders and borrowers.”

It was not clear on Monday which side would be able to secure the five votes necessary to win. Making any inferences harder was the absence of Ginsburg, who is expected to vote in the case but who was not able to ask any questions of counsel.

Source: CNBC



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2019 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

Lake Havasu
Tri-State Recovery, LLC
Shila Holmes
2590 Kiowa Blvd., Lake Havasu, AZ 86403
928-854-9042

Phoenix
Alpha Towing & Recovery Company, LLC
Jordan Sawalqah
1838 S. 5th Ave., Phoenix, AZ 85003
602-258-3298

Phoenix
Camping Companies, Inc.
Kevin E Camping
4427 N. 27th Ave., Phoenix, AZ 85017
602-956-5119

Phoenix
Desert Auto Recovery
Jeff C. Dryer
1019 S. 30th Ave., Phoenix, AZ 85009
602-841-0100

Phoenix
Innovative Recovery Solutions, LLC
Jared D. Bowers
1742 E. University Dr., Phoenix, AZ 85034
602-956-5119

Phoenix
Recovery Management Solutions, LLC
Erin Housey
3030 North Central Ave. Suite 603, Phoenix, AZ 85012
602-424-9540

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

Phoenix
Southwest Recovery, LLC
Michael Van Winkle
528 S. Robson, Mesa, AZ 85210
480-699-0138

Tucson
Automobile Recovery Services of Arizona, Inc.
Robert C. Bozarth
3250 S. Dodge Blvd., Tucson AZ 85731
520-747-0699

Arizona

Yuma
A&A Towing & Recovery
Monty W Sanders
13711 S. Ave. 3E, Yuma AZ 85365
928-581-8884

Arkansas

Fort Smith
Absolute Towing And Recovery, LLC
Josh Niles
4617 Jennylin Rd., Ft. Smith, AR 72903
479-434-6700

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

Fresno
Affiliated Recovery Service, Inc.
Barbara E. Bidy
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Motion Repossessors, Inc.
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3201 Wrights Ferry Rd., Louisville, TN 37777

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Nashville

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Krietman Towing

Jackie Lynn Krietman, Jr.

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Texas

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Asset Recovery Adjusters

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Diversified Recovery of Texas, Inc.

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Austin

1st Adjusters

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Elite Recovery Services

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Tri County Adjusters Inc

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Tyler

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Vaunda J. Warnasch

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Waco

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Contact Information

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- ✓ Clients have the ability to search by city or ZIP code and locate any AFA member within a 100-mile radius.
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- ✓ AFA wants to ensure ALL recovery agents are educated, protected and informed.
- ✓ AFA helps state associations by attending conventions, providing educational services and support.
- ✓ AFA monitors legislative issues that might affect the repossession industry on national and statewide levels.
- ✓ AFA is a member-driven association, and member input is welcomed and encouraged.
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Certification For Professional Repossession Agents

The field of self-help repossession is changing at a rapid pace. New and constantly evolving laws, client requirements, technology enhancements and account brokers are some of the many changes the industry must deal with on a daily basis. The cost of these changes and the nature of the services performed by repossession agents have increased the potential that unqualified and or uninformed repossession agents could seriously affect our industry.

The need to remain informed is most evident with the changing and evolving laws, which give the repossession agent the authority to practice his or her trade. Some states have mandated knowledge requirements including testing, such as California and Florida. Other states, such as Louisiana and Wisconsin, have unique laws regarding who can self-help repossess and what has to happen when self-help repossession occurs.

Many members of the repossession community have long held the self-help repossession as an alternative to the use of the judicial process option allowed by the law. It goes without saying that both clients and courts need more confidence in the competence of repossession agents before they will be fully accepted as legitimate and professional participants in the world of lending and law.

RSIG has been training repossessioners for 30 years through our annual seminars, training seminars and most formally through our certification program now available online through the RSIG University at www.rsiguniversity.com. This is an online program available to students 24/7 when it is convenient for them. Our proctored exam ensures that the test

taker is the one taking the test. The fact that our exam is not an open book test means that the student has to prove their retention of the information and not just their ability to look back and find it.

The obvious benefits of certification are professional satisfaction, peer recognition, risk avoidance and economic advantage. In addition, recognized certification provides the availability of an acceptable marketing tool, the creation of a nationwide group of specialists and the establishment of uniform standards.

The arguments in favor of such a certification program are that they would improve quality for users of repossession services and reduce risk making insurance coverage more available and enhance the prestige and legitimacy of the repossession field.

The industry has changed and needs to continue to change. Government is calling upon lenders to be more consumer conscience and lenders are passing those expectations to their repossession service providers. If you are not educating your workforce you are being left behind.



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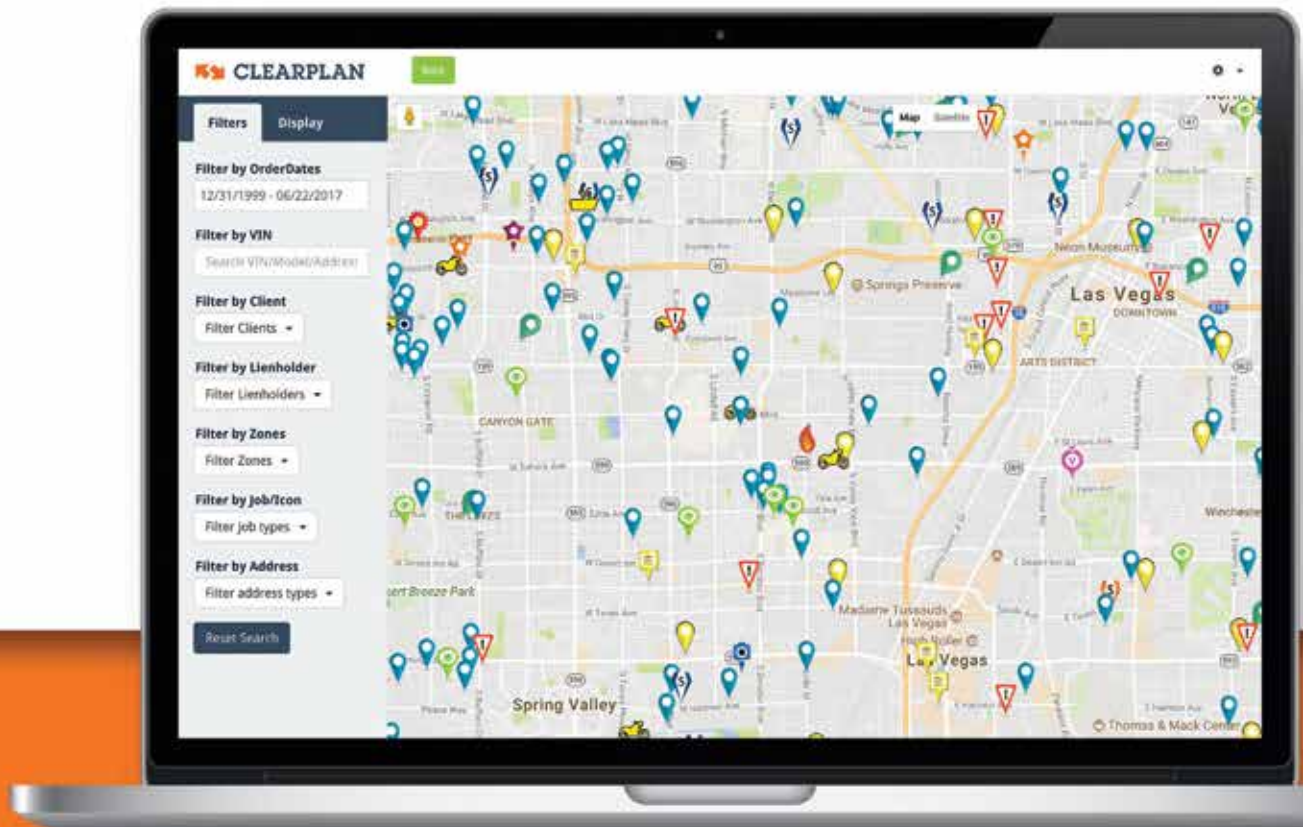
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