

Collection Agency Board Meeting

Tab 1 Call to Order

September 17, 2020

10:00 AM



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
WASHINGTON STATE
COLLECTION AGENCY BOARD
AGENDA
REGULAR BOARD MEETING

DATE: September 17, 2020

TIME: 10:00 a.m.

LOCATION: Teleconference

Board members participating via conference call. Visitors please call 360-407-3780, Pin 276666#.

ATTENTION: Board meetings are open to the public except when business calls for an Executive Session. During Executive Session all guests will be excused. Start times are subject to change by the Board Chair.

1. Call to Order

- 1.1. Introductions
- 1.2. Order Of Agenda
- 1.3. Approval Of Minutes: September 24, 2019, March 20, 2020 & June 18, 2020
- 1.4. Review Communications

2. New Business

- 2.1. Welcome New Board member
- 2.2. NACARA Annual Meeting Update
- 2.3. 2021 Meeting Schedule
- 2.4. Permanent Rule Making

3. Old Business

- 3.1. Review Action Item list

4. Complaint Cases for Review*

- 4.1. Administrative Closures Report

5. Legal Issues for Deliberation*

- 5.1. No. 2018-01-0904-00COL

6. Disciplinary & Investigation Items

- 6.1. Closed Session Deliberation report (*only necessary if closed session is held*)
- 6.2. Disciplinary Cases Report

7. Assistant Attorney General's Report

8. Board Administrator's Report

- 8.1. Program Operations
- 8.2. Licensing and application update.
- 8.3. Department Of Licensing
- 8.4. Other Items

9. Other Business

- 9.1. Action Items from This Meeting
- 9.2. Agenda Items for Next Meeting

10. Public Comment

11. Adjournment

*The Board may enter into closed session to discuss disciplinary proceedings.

Next meeting
TBD



STATE OF WASHINGTON

DEPARTMENT OF LICENSING

**COLLECTION AGENCY BOARD
MEETING MINUTES
REGULAR BOARD MEETING**

DATE: September 24, 2019

TIME: 10:00 a.m.

LOCATION: 605 Tyee DR SW
Tumwater, WA 98501

MEMBERS PRESENT: Phil White, Chair
Scott Kinkley, Member
Mari Neubauer, Member
Mark Case, Member
Dirk Bunker, Member

STAFF PRESENT: Rick Storvick, Administrator
Kathe McDaniel, Assistant Administrator
Shari Honeywell, Administrative Assistant
Kimberly Hall, Administrative Assistant
Grace Hamilton, Investigator
Elizabeth Lagerberg, Advising AAG

GUESTS PRESENT: Kevin Underwood, WA Collectors
Kelsi Hamilton, WA Collectors
David Grimm, WA Collectors Association
Larry Kasoff, citizen

OPEN SESSION

- 1. Call to Order** **10:00 a.m.**
 - 1.1 Introductions
Board members staff, and guests introduced themselves.

1.2 Order Of Agenda

MOTION: Mr. Bunker made a MOTION to accept the agenda as presented. Mr. Kinkley seconded the MOTION and it passed.

1.3 Approval of Draft Minutes: April 16, 2019 & June 25, 2019.

MOTION: Mr. Kinkley made a MOTION to accept the minutes as presented. Mr. Bunker seconded the motion and it passed.

1.4 Review Communication

None

2. **Public Comment Opportunity**

Mr. Kasoff had concerns regarding the meeting packet not being posted on the DOL website.

3. **New Business**

3.1 2019 NACARA Annual Meeting Report

Mr. Bunker discussed the different presentations that were provided during the conference. He will be sending out a breakdown of what was covered.

3.2 2020 Meeting Schedule

Ms. Hall discussed the dates for next year's meeting. The spring meeting will be held in SeaTac on April 15, following the meeting will be an all RBS board training. The fall board meeting will be scheduled for late September. Dates will be set early in 2020.

4. **Old Business**

4.1 Legal Financial Obligations (LFO) Discussion

Ms. Lagerberg discussed LFO's and deliberated the background. She provided additional options the Board can consider. Option 1: A case by case basis.

Option 2: The Board could create a WAC to support the RCW. Option 3: The Board could determine they won't handle the cases.

MOTION: Mr. Case made the motion to withdraw the previous agreed vote on LFO's. The Board discussed the history of the previous decision and the reasoning of it. No second was given.

4.2 Review Master Action Item List

Ms. Hall discussed the action item list. Ms. McDaniel provided an update to LLLT.

Ms. Neubauer did have a correction on the action item regarding her. The action item was regarding ethics in which she requested clarification regarding board member's obligations and expectations associated with campaigns.

5. Complaint Cases for Review

5.1 Administrative Closures Report

Ms. Hamilton discussed the closed cases.

6. Legal Issues for Deliberation

No cases.

7. Disciplinary & Investigation Items

No items

8. Assistant Attorney General's report

Ms. Lagerberg discussed RCW 19.16.390. In the RCW it has a statute that states the Director of DOL will need to be served.

9. Board Administrator's Report

None.

9.1 Program Operations

None

9.2 Licensing and application update

None

9.3 Department of Licensing

Ms. McDaniel gave the update on the New Licensing system that will be coming out in November.

9.4 Other Items

Mr. Storvick discussed the ongoing law suit. The deposition is still in process.

10. Other Business

10.1 Action Items from this meeting

- Reach out to LLLT to attend the next meeting- Ms. McDaniel
- Add verbiage to our website regarding packets- Ms. Hall
- Finalize the upcoming years meeting dates- Ms. Hall
- NACARA summary- Mr. Bunker

10.2 Agenda Items for Next Meeting

- LLLT update

Adjournment: 11:06 a.m.

Approved by:

Kathe McDaniel, Assistant Administrator

Date

Phil White, Chair

Date

DRAFT



STATE OF WASHINGTON

DEPARTMENT OF LICENSING

COLLECTION AGENCY BOARD

MEETING MINUTES

SPECIAL BOARD MEETING

DATE: March 20, 2020

TIME: 3:15 p.m.

LOCATION: Teleconference

MEMBERS PRESENT: Phil White, Chair
Scott Kinkley, Member
Mari Neubauer, Member
Mark Case, Member
Dirk Bunker, Member

STAFF PRESENT: Rick Storvick, Administrator
Kimberly Hall, Administrative Assistant
Grace Hamilton, Investigator
Elizabeth Lagerberg, Advising AAG

GUESTS PRESENT: Virtual meeting

OPEN SESSION

1. Call to Order 3:18 p.m.

1.1 Introductions

Board members and staff introduced themselves.

1.2 Order Of Agenda

MOTION: Mr. Kinkley made a MOTION to allow public comment. Ms. Neubauer seconded the MOTION. It was put to vote and tied. Agenda was never approved but the Board decided to continue with new Business.

2. New Business

2.1 Enforcement Guidance to Collection Agencies

Mr. Storvick discussed the change in law to temporally allow Collection Agencies to be able to telework while COVID-19 is in effect. He explained that we are following other States lead with This Temporary Guidance. This is issued with the intent to offer licensees the ability to take precautions deemed necessary to avoid the risk of exposure or to comply with requirements of voluntary or mandated quarantines and is effective through June 30, 2020, unless otherwise modified or withdrawn.

Mr. Kinkley read public comment that he received regarding the Rule change.

The Board discussed the rule change with positive and negative effects.

MOTION: Mr. Bunker made a MOTION to approve the rule change. Mr. Case seconded the MOTION, it was put to a vote and did not pass.

Adjournment: 3:53 p.m.

Approved by:

Rick Storvick, Assistant Administrator

Date

Phil White, Chair

Date



STATE OF WASHINGTON

**DEPARTMENT OF LICENSING
COLLECTION AGENCY BOARD
MEETING MINUTES
SPECIAL BOARD MEETING**

DATE: June 18, 2020

TIME: 3:15 p.m.

LOCATION: Teleconference

MEMBERS PRESENT: Phil White, Chair
Scott Kinkley, Member
Mari Neubauer, Member
Mark Case, Member
Dirk Bunker, Member

STAFF PRESENT: Rick Storvick, Administrator
Julia Manley, Assistant Administrator
Kimberly Hall, Administrative Assistant
Shari Honeywell, Administrative Assistant
Grace Hamilton, Investigator
Julie Konnersman, Management Analysis
Elizabeth Lagerberg, Advising AAG

GUESTS PRESENT: Virtual meeting

OPEN SESSION

1. Call to Order 3:18 p.m.

1.1 Introductions

Board members and staff introduced themselves.

1.2 Order Of Agenda

MOTION: Mr. Case made a MOTION to approve the agenda. Mr. Kinkley seconded MOTION and it passed.

2. New Business

2.1 Emergency Rule Making - WAC 308-29-010(2) – Clarifying Branch Offices

Mr. White had the board and guests review the packet of the new language.

MOTION: Mr. Case made a MOTION to approve the new rule. Mr. Bunker seconded the MOTION and the board discussed.

Mr. Kinkley discussed concerns of the new rule and the change that it would bring to the industries. Mr. Case did discuss the benefits of the new rule change and how it will help both the creditors and their clients. It also helps support the Governor's stay at home act. Ms. Neubauer mentioned her concerns regarding the approval. Mr. Bunker mentioned that the concern of privacy or security are not issues with teleworking.

MOTION was put to a vote and passed.

2.2 WAC 308-29-085 Remote Work duties and Security Requirements

MOTION: Mr. Case made a MOTION to approve the start of new rule making. Mr. Bunker seconded the MOTION and it passed.

Adjournment: 3:42 p.m.

Approved by:

Rick Storvick, Assistant Administrator

Date

Phil White, Chair

Date

Board Meeting

Tab 2

New Business

Topics for action or discussion by the board that were identified at or since the last board meeting.

Collection Agency Board
September 17, 2020
Teleconference Meeting

2020 NACARA Conference Update:

The NACARA 2020 Conference scheduled for October in Nashville, Tennessee has been postponed due to COVID-19. There is a plan to hold the conference in 2021 at a date to be determined. NACARA is in the process of setting up a webinar/online conference for 2020 in lieu of the physical conference. Dates and speakers still to be determined. If possible, this event will be at no cost to NACARA members.

Recommendation: For board's information only. No action required.

Submitted by Board Staff
September 9, 2020

Washington State Collection Agency Board
September 17, 2020
Teleconference

Meeting Schedule

Background: At the last board meeting each year, the board and staff set the meeting calendar for the next year. To ensure we have appropriate time to process travel requests and take other action necessary for the North American Collection Agency Regulatory Association (NACARA) annual meeting (IF it is held in 2021), officer elections, etc., staff recommends the following schedule, with the standard calendar-related action items:

- April or March
 - Vice Chair Election
 - Identify delegates for the NACARA annual meeting in Sept/Oct

- September
 - Discuss topics from NACARA Annual Meeting Agenda

In addition to these two regular board meetings it is anticipated additional special meetings may be scheduled to address current rulemaking activities. Those meetings will be discussed under agenda item 2.4.

Recommendation: Board staff requests board members bring their 2021 calendars to the board meeting.

Submitted by Board Staff
September 9, 2020

Board Meeting

Tab 3

Old Business

Topics from past meetings, presented for update, action or further discussion by the board.

**Collection Agency Board
Board or Staff Assignments**

Date Assigned	Action Item	Assigned to	Comments	Due Date
9/24/19	Reach out to LLLT to attend the next meeting	Ms. McDaniel		
9/24/19	Add verbiage to our website regarding packets	Ms. Hall	Done	
9/24/19	Finalize the upcoming years meeting dates-	Ms. Hall	Done	
9/24/19	NACARA summary	Mr. Bunker		

Board Meeting

Tab 4

Complaint Cases for Review

Complaint closure recommendations
presented by the assigned case manager.

Board action is required on each case.

Collection Agency Board
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Administratively Closed Cases:

There has been a total of 92 cases administratively closed from September 2019 to the present. Cases are administratively closed if there are no violations found, no board jurisdiction, and when a Case Manager reviews the case and recommends closure. Staff is currently working with the POLARIS team to develop a visual report to show this data in the future.

Submitted by Board Staff
September 9, 2020

Collection Agency Board Administrative Closures

10 cases of no jurisdiction

- Received the complaint.
- Gather information.
- Determine no jurisdiction.
- Close Case.

33 cases with no violation

- Received the complaint.
- Gather information.
- Notify respondent.
- Review Response
- Determine if there was a violation.
- No?
- Close Case.

3 cases recommended to be closed by case manager

- Received the complaint.
- Gather information.
- Notify respondent.
- Review response.
- Assign and send case to casemanager.
- Receive casemanager recommendation to close.
- Close Case

10 Complaints withdrawn or opened in error.

- Received the complaint.
- Gather information.
- Notify respondent.
- Receive request from Complainant to withdraw complaint..
- Notify Respondent that case has been closed.
- Close Case.

Board Meeting

Tab 5

Legal Issues for Deliberation

Negotiated settlement orders or default orders presented by the board's prosecution team.

Board action is required on each order.

Board Meeting

Tab 6

Disciplinary & Investigation Reports

Standard disciplinary reports and a list of any administratively-closed complaints.

Provided for information only – typically no board action is needed.

Board Meeting

Tab 7

Assistant Attorney General's Report

Presentation of general legal issues
of interest to the board.

Provided for information only –
typically no board action is needed

Board Meeting

Tab 8

Board Administrator's Report

Operational reports and information
about legislative matters of interest to the board.

Provided for information only –
typically no board action is needed.

Board Meeting

Tab 9

Other Business

Review of action items from this meeting, agenda items for the next meeting, and discussion of topics added under the Order of the Agenda.

Board Meeting

Tab 10

Public Comment

The board has the option to allow comment from the public on agenda items or other topics, unless the comment is related to an open investigation.

The board may limit the comment period, and will provide instructions if it chooses to do so.

Board Meeting

Tab 11

Adjournment