

1. The Division of Banks (“Division”), through the Commissioner, has jurisdiction over the licensing and regulation of persons and entities engaged in the business of debt collection in Massachusetts pursuant to Massachusetts General Laws chapter 93, section 24A and its implementing regulation at 209 CMR 18.00 *et seq.*
2. ATG Credit is licensed by the Commissioner as a debt collector under Massachusetts General Laws chapter 93, section 24A. According to records maintained on file with the Division and the Nationwide Multi-State Licensing System (“NMLS”), ATG Credit has

been a foreign company conducting business in Massachusetts with a main address of 1700 W. Cortland #205, Chicago, IL 60622.

3. According to records maintained on file with the Division and the NMLS, the Commissioner initially issued debt collector license DC1178 to ATG Credit to engage in the business of a debt collector in the Commonwealth on or about May 27, 2008.

**a. Failure to Provide Access to Books and Records**

4. Pursuant to Massachusetts General Laws chapter 93, section 24D, the Division is authorized to inspect the books, accounts, papers, records, and files of debt collectors, transacting business in Massachusetts to determine compliance with the provisions of Massachusetts General Laws chapter 93 sections 24 through 28, inclusive, and any rule, or regulation issued thereunder, and with any law, rule, or regulation applicable to the conduct of the licensed business.
5. Massachusetts General Laws chapter 93, section 24D(a) states:

The commissioner may investigate the collection records of a licensee or registrant, and for that purpose the commissioner shall have free access to the books and papers of a licensee or registrant relating thereto. A licensee or registrant shall keep and use the business records in such form and at such location as the commissioner, by regulation, shall determine, which shall enable the commissioner to determine whether the licensee or registrant is complying with this chapter and rules or regulations promulgated hereunder by the commissioner and any other law, rule or regulation applicable to the conduct of the business for which it is licensed or registered under this chapter.

6. On or about March 13, 2025, pursuant to the authority granted under Massachusetts General Laws chapter 93, section 24D, the Division attempted to commence an examination of the books, accounts, papers, records and files maintained by ATG Credit by sending the company the 1st Day Letter and Document Request Lists.

7. On or about March 17, 2025, a Division Examiner called ATG Credit on their officially listed phone number in NMLS to confirm receipt of the 1st Day Letter and Document Request Lists. The call was answered by an ATG Credit employee working at their call center who was unable to assist the Examiner. Despite the Examiner's request, no return call was received.
8. On or about March 19, 2025, a Division Examiner called to confirm receipt of the 1st Day Letter and Document Request Lists. The call was answered by an ATG Credit employee working at their call center who was unable to assist the Examiner. Despite the Examiner's request, no return call was received.
9. On or about March 25, 2025, a Division Examiner called to confirm receipt of the 1st Day Letter and Document Request Lists. The call was answered by an ATG Credit employee working at their call center who was unable to assist the Examiner. Despite the Examiner's request, no return call was received.
10. On or about March 27, 2025, a Division Examiner called to confirm receipt of the 1st Day Letter and Document Request Lists. The call was answered by an ATG Credit employee working at their call center who was unable to assist the Examiner. Despite the Examiner's request, no return call was received.
11. On or about April 1, 2025, a Division Examiner called ATG Credit to notify the Company that the requested documents had not been uploaded by the deadline. The Examiner also emailed CEO Johanna Parra (Parra) per her officially listed email noted in NMLS regarding the examination and requested documents.
12. On or about April 2, 2025, the Division sent ATG Credit a 72 Hour Demand Letter via email, and ATG Credit acknowledged receipt. Ms. Parra emailed back on April 2, 2025

explaining that ATG Credit did not want to undergo an examination. The Examiner responded on April 2, 2025 that in order to avoid the examination, ATG Credit would have to surrender its DC license before April 8, 2025 or the examination would proceed. No additional response was received from Ms. Parra or any other representatives at ATG Credit.

13. On or about April 7, 2025, Parra emailed the Examiner requesting a call. However, when the Examiner indicated he was available via phone and Microsoft Teams (“Teams”), Parra did not follow up.
14. On or about April 10, 2025, the Examiner set a Teams call for the following day to Parra.
15. On or about April 11, 2025, the Examiner joined the previously scheduled Teams call. However, Ms. Parra failed to join the call.
16. On or about April 15, 2025, the Examiner tried to call Ms. Parra. The call was answered by an ATG Credit employee working at their call center who was unable to assist the Examiner. Despite the Examiner’s request, no return call was received.
17. On or about April 22, 2025, the Examiner emailed Parra and attached the April 2, 2025 Demand Letter.
18. On or about April 30, 2025, the Examiner placed two calls to ATG Credit. He left a voicemail with Jessica Twyman (Twyman), an additional ATG Credit management contact in NMLS, and left a message with the call center for Parra.
19. On or about May 6, 2025, a Regional Field Manager emailed both Twyman and Parra regarding the examination and the 72 Hour Demand Letter.

20. On or about May 15, 2025, the Division's Chief Director of Enforcement and Investigations emailed both Twyman and Parra indicating that ATG Credit must cease operations in Massachusetts and surrender its license by May 19, 2025.
21. As of the effective date of this Temporary Order, ATG Credit has failed to provide any documents to the Division or otherwise meaningfully engage with the Division to enable an examination of its business.
22. ATG Credit is licensed to operate in the Commonwealth while the Division is unable to conduct an examination of ATG Credit and assess the company's compliance with consumer protection laws.

**b. Failure to Maintain Financial Responsibility**

23. Massachusetts General Laws chapter 93 section 24B(a) states, in part:

The commissioner may reject an application for a [debt collector] license or an application for the renewal of a license if he is not satisfied that the financial responsibility, character, reputation, integrity and general fitness of the applicant and of the owners, partners or members thereof, if the applicant be a partnership or association, and of the officers and directors, if the applicant be a corporation, are such as to command the confidence of the public and to warrant the belief that the business for which the application for a license is filed will be operated lawfully, honestly and fairly.
24. The Division's regulation at 209 CMR 18.03 (2)(a) which requires licensed debt collectors to maintain financial responsibility and maintain a positive net worth states:

A debt collector applicant or student loan servicer applicant shall demonstrate financial responsibility and shall demonstrate and maintain a positive net worth. Failure to demonstrate a positive net worth at any time in which the debt collector or student loan servicer license is in effect may constitute evidence that the aforementioned licensee has failed to satisfy the financial responsibility requirements of paragraph (a) of this section.
25. The Division's regulation at 209 CMR 18.03(2)(b)3 states in part:

A debt collector applicant for license renewal shall submit financial statements which have been either audited or reviewed by an independent Certified Public Accountant within 90 days of the close of its fiscal year.

26. The company's NMLS record indicates that ATG Credit's fiscal year end date is December 31, which would require the company to provide 2024 audited or reviewed financial statements by March 31, 2025. To date, the company has failed to file the required financial statement on the NMLS.
27. The Division's review of the company's internally prepared financial statements as of December 31, 2024 uploaded to the NMLS reflect a negative adjusted net worth of (\$277,055.12).
28. ATG Credit's NMLS record has three license items, dated February 12, 2025, April 1, 2025 and May 31, 2025, flagging the company's failure to meet the net worth requirements and ATG Credit's failure to submit appropriate financial statements.
29. On June 4, 2025, the Division's licensing unit attempted to contact the company's chief executive officer via telephone to discuss the deficiencies noted on the NMLS record; the licensing unit spoke to a "desk manager" and expressed the urgency of the matter.
30. As of the effective date of this Temporary Order, the company has failed to address any of the deficiencies or return any messages to the Division's licensing unit.

### **Conclusions of Law**

31. Based upon the information contained in paragraphs 1 through 30, ATG Credit has failed to demonstrate the character, reputation, integrity, and general fitness that would warrant the belief that the business will be operated honestly, fairly, and soundly in the public

interest in violation of Massachusetts General Laws chapter 93, sections 24B(a) and 24G(a).

32. Based upon the information contained in paragraphs 1 through 30, ATG Credit's failure to provide the Division with access to its books and papers is a violation of Massachusetts General Laws Chapter 93, section 24D.
33. Based upon the information contained in paragraphs 1 through 30, by failing to maintain a positive net worth and failing to provide required financial statements, ATG Credit has failed to meet the financial responsibility requirements in violation of 209 CMR 18.03(2)(a) and 209 CMR 18.03(2)(b)3.
34. Based upon the information contained in paragraphs 1 through 30, the public interest will be irreparably harmed by delay in issuing a cease and desist order under Massachusetts General Laws Chapter 93, section 24J(b).
35. Based upon the information contained in Paragraphs 1 through 30, had the facts and conditions found therein existed at the time of ATG Credit's original debt collector license application, the Commissioner would have been warranted in refusing to issue such license pursuant to Massachusetts General Laws chapter 93 section 24G. Furthermore, the facts and conditions set forth in Paragraphs 1 through 20 are grounds for the suspension or revocation of ATG Credit's debt collector license pursuant to Massachusetts General Laws chapter Massachusetts General Laws Chapter 93, section 24I.
36. Based upon the information contained in paragraphs 1 through 30, the Commissioner has determined that:
  - a. ATG Credit has engaged, or is about to engage in, acts or practices which warrant the belief that the company is not operating honestly, fairly, soundly and efficiently

in the public interest in violation of standards governing the licensing and conduct of a collection agency including, but not limited to, the provisions of the Division's regulations at 209 CMR 18.00 *et seq.*

- b. The public interest will be irreparably harmed by delay in issuing an Order to Cease and Desist to ATG Credit.

### **Order to Cease and Desist**

After taking into consideration the Findings of Fact and Conclusions of Law stated herein, it is hereby:

37. Ordered that ATG Credit and any and all employees, independent contractors, or agents operating on behalf of ATG Credit, and their successors or assigns, shall immediately cease engaging in the activities of a debt collector in the Commonwealth of Massachusetts, as defined under Massachusetts General Laws chapter 93, section 24. Therefore, ATG Credit is ordered to immediately cease collecting any consumer collection accounts from debtors located within Massachusetts and to cease soliciting the right to collect or receive payment for another of an account, bill or other indebtedness, or advertise for or solicit in print the right to collect or receive payment for another of an account, bill or other indebtedness soliciting or accepting, either directly or indirectly, any third party debt collection accounts for any debtors located within Massachusetts.
38. It is further ordered that ATG Credit submit a response within five (5) days of receipt of this Temporary Order. The response submitted by ATG Credit must also include a signed copy of the enclosed affidavit, attesting that ATG Credit will immediately cease from engaging in the business of a debt collector in Massachusetts.



39. It is further ordered that ATG Credit shall, within five (5) days of the date of this Temporary Order, provide the Division with a complete record, including a verification of receipt, of all funds collected from Massachusetts consumers from January 1, 2022 through the date of this Temporary Order.
40. It is further ordered that ATG Credit shall, within five (5) days of the date of this Temporary Order, provide the Division with a record of all clients and/or creditors and a detailed record of all Massachusetts accounts held for collection by ATG Credit on behalf of such clients.
41. It is further ordered that this Temporary Order shall become effective immediately and shall remain in effect unless set aside, limited, or suspended by the Commissioner or upon court order after review under Massachusetts General Laws chapter 30A.
42. It is further ordered that this Temporary Order shall not be construed as approving any act, practice, or conduct not specifically set forth herein which was, is, or may be in violation of relevant state or federal laws and regulations.
43. It is further ordered that a hearing will be scheduled on this matter to determine whether or not such Temporary Order shall become permanent and final only upon receipt of a written request for such a hearing from the company within twenty (20) days of the effective date of this Temporary Order. If no hearing is requested within this twenty (20) day period, this Temporary Order shall become permanent and final until it is modified or vacated by the Commissioner.

BY ORDER AND DIRECTION OF THE COMMISSIONER OF BANKS.

Dated at Boston, Massachusetts, this 12th day of June, 2025.

Mary L. Gallagher  
Commissioner of Banks