

Collector's Ink

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President's Message

NEW OPPORTUNITIES

By Maryrose Diaz



I hope this newsletter finds you in good health and high spirits. As we move forward into 2024, I wanted to take a moment to thank everyone who works to make our association stronger and better. With every passing year that I stay plugged in, I appreciate that we always push forward as a group. We care for others and want to educate each other to succeed.

Here we come, 2024, praying

for a productive, calm, thriving year for all!

I would like to update you on the latest developments within our association and share some important information.

1. Association News

Upcoming Events: We have several exciting events lined up for the coming months, including our annual Legislative Day April 16-17, 2024. Make sure to mark your calendars, as this will be a fantastic opportunity to network and meet with legislators to advocate



on behalf of our industry. We are also working on contracting for our 2024 Annual Conference. Keep watch for more information on that in the coming months.

Membership Renewal: It's that time of year where we encourage all members to renew their memberships. Your continued support is vital to our association's success, and we value your involvement.

2. Member Spotlight

In future issues of Collector's Ink, we would like to begin by highlighting one of our outstanding members. If you are interested in being highlighted, please send an email to info@calcollectors.net.

Continued on page 5...

FOR SALE:

Collection agency in Southern California-San Diego area, in business since 1963, with well-established medical, utility and commercial clients, is looking to retire.

Interested parties please call (619) 579-8133, or after 5pm contact (619) 443-4757.

2023-2024 BOARD OF DIRECTORS

Maryrose Diaz - President

Company: Grant Mercantile Agency
Email: Maryrose-gma@sti.net

Rick Minton - Secretary

Company: Action Professionals, Inc.
Email: rick@actionpros.com

Shawn Suhr - Treasurer

Company: Continental Credit Control
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Stephen Ernst - Director

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Cindy Yaklin - Director

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Email: schoenberg@acainternational.org

Tom Griffin - General Counsel

Main Office: 916-925-6620
Email: tgriffin@hsmlaw.com

Cliff Berg - Legislative Advocate

Main Office: 916-448-8240
Email: cberg@govadv.com





Executive Director's Report

MANY THANKS FOR A SUCCESSFUL CONFERENCE!

By Tammy Schoenberg

The California Association of Collectors Inc. (CAC) convened its annual conference in October, bringing more than 80 attendees together for two days of learning, networking and important advocacy discussions.

Session topics at the conference included:

- The Heat Map: The Communication Channels with Consumers, the Risks and the Law and Mastering the Art of Email and Text Communications to Revolutionize Your Business
- Best Ideas and Burning Issues Roundtable
- CAC Legal Panel
- Managing Remote Employees, Including Offshoring
- Using Social Media Data to Enhance Skiptracing
- What Does it Mean to Be a Collector in California?

A special thank you to all of this year's speakers and panelists.

At the conference, CAC also announced its 2023/24 officers:

- **President:** Maryrose Diaz, Grant Mercantile Agency, Oakhurst, California
- **Treasurer** (returning for another term): Shawn Suhr, Continental Credit Control, Santa Barbara, California
- **Secretary:** Rick Minton, Action Professionals, Paso Robles, California

The CAC extends a special thanks to Chris Schumacher, president and CEO of Optio Solutions LLC, for serving the last two terms as the CAC president.

The conference raised a significant amount of money, with over \$13,000 going to the CAC PAC fund and over \$3,000 directed to the CAC Educational Scholarship Foundation program. Thank you to our generous givers!

Did you miss the conference? Please consider adding your support to the imperative CAC PAC fund. A pledge of \$500 will go a long way to win decisively for our industry. Donate online!

Additionally, this year's Educational Scholarship Foundation winners were announced during the Annual Installation Dinner.

The 2023 winners are:

- **First place:** Ava Reckers from Fair Oaks, California
- **Second place:** Matthew Wren from Castro Valley, California
- **Third place:** Dylan Sham from Pomona, California

The CAC extends its thanks to this year's conference sponsors:

- Collaborationroom.AI · Collective Solution, LLC
- Prodigal · REPAY · TCN · TEC Services Group

Looking ahead, please mark your calendars for Legislative Day 2024!
April 16-17, 2024 • Hyatt Regency Sacramento

[Register Now!](#)

Tammy M. Schoenberg

Tammy Schoenberg



LEGISLATIVE ADVOCATE UPDATE

CALIFORNIA FINALIZES STUDENT LOAN SERVICER REGULATIONS

By Cliff Berg

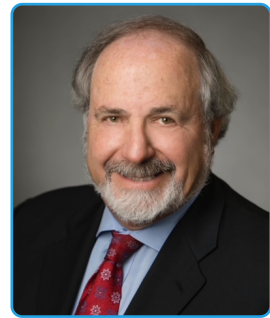
The regulations will take effect Jan. 1, 2024, to oversee education financing products and servicers of those products.

The California Department of Financial Protection and Innovation (DFPI) has issued final regulations to implement the [Student Loan Servicing Act](#) and the [Student Loans Borrower Rights Law](#) that will take effect Jan. 1, 2024.

The DFPI updated the original proposed rules and changed the text twice to ensure the regulations were consistent with servicers' operations and businesses, according to its [monthly bulletin](#).

Its goal in developing these new rules is to "include all education financing products used to finance a student's higher education, including income share agreements and installment contracts, within the definition of student loans subject to state law." The rules also include servicers of these products subject to the Student Loan Servicing Act and licensing.

The DFPI expects the regulations will provide protective benefits to student loan borrowers with education financing products, improved regulatory oversight of the student loan servicer industry, and strengthened enforcement of the recent state laws regarding student loan servicing.



The 2018 Student Loan Servicing Act expanded the authority of the DFPI commissioner to include the licensure, regulation and oversight of student loan servicers, [ACA International previously reported](#). The Student Loans: Borrower Rights law of 2021 added to the act's student borrower protections. [CI](#)

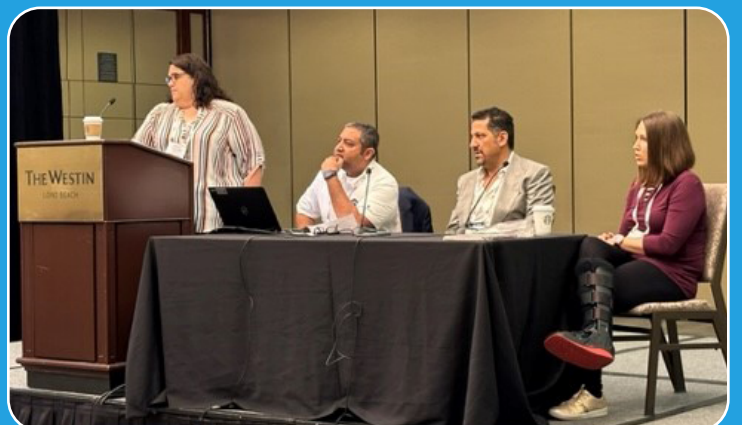
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SNAPSHOTS FROM CAC'S ANNUAL CONFERENCE



3. Call for Volunteers

Our association thrives on the dedication and passion of our members. If you're interested in getting more involved or volunteering your time, please don't hesitate to contact us. Your support is invaluable.

4. Feedback and Suggestions

We always value your feedback. If you have any suggestions, comments, or ideas to improve our association or our newsletter, please reach out to us at info@calcollectors.net.

Thank you for your continued support and involvement in the California Association of Collectors. Together, we can achieve great things for our industry. If you have any questions or need more information about any of the topics mentioned in this newsletter, please don't hesitate to contact us. I look forward to serving as your president in the coming year.

Wishing you a productive and successful end of year!

Sincerely,
Maryrose Diaz, *President*

MARK YOUR CALENDAR FOR LEGISLATIVE DAY 2024

CAC Legislative Day

April 16-17, 2024

Hyatt Regency Sacramento

[Register Now!](#)



CONGRATS TO OUR 2023 CALIFORNIA ASSOCIATION OF COLLECTORS EDUCATIONAL SCHOLARSHIP FOUNDATION WINNERS

1st Place Scholarship of \$2,500:

Ava Reckers of Fair Oaks, CA

2nd Place Scholarship of \$2,000:

Matthew Wren of Castro Valley, CA

3rd Place Scholarship of \$1,500:

Dylan Sham of Pomona, CA



Dylan Sham and Ava Reckers with their mothers.

CALIFORNIA OPENS COMMENTS ON LATEST DRAFT OF LICENSING REGULATIONS

The state's financial regulator released a second draft of licensing requirements for debt collectors, creditors and attorneys. Comments are due by Jan. 15.

Debt collectors required to be licensed in California under the Debt Collection Licensing Act can now comment on the Department of Financial Protection and Innovation's (DFPI) second draft of proposed regulations.

The [proposed regulations](#) (PDF) focus on the scope of the licensing requirement for temporary debt collection employees and employees of debt collection agency subsidiaries as well as defining criteria for licensure that applies to original creditors and attorneys engaging in debt collection. They also address document retention.

This second draft reflects changes to text on those topics after the DFPI accepted comments on the proposals last summer.

Annual report requirements will be adopted through a separate rulemaking, according to the DFPI. The DCLA took effect on Jan. 1, 2022, and requires any person engaging in the business of debt collection in California to be licensed by the DFPI, [ACA International previously reported](#).

The California Association of Collectors Inc. (CAC) has submitted comments on the licensing law since it was introduced, including a response to the DFPI's proposals on the definition and registration of a branch office, working with vendors and surety bonds, among others, and is reviewing the current draft to provide comments.

Interested parties are invited to submit comments, including comments describing the potential financial impact of the draft regulations, by Jan. 15, 2024.




Submit comments by:

- Email to regulations@dfpi.ca.gov, including "PRO 05-21" in the subject line, or
- Mail addressed to Department of Financial Protection and Innovation Legal Division; Attn: DeEtte Phelps, Regulations Coordinator, 2101 Arena Blvd., Sacramento, CA 95834
Contact DFPI Senior Counsel Emily Gallagher at emily.gallagher@dfpi.ca.gov with any questions on the proposed regulations.

State Licensing Underway

Meanwhile, the [Conference of State Bank Supervisors](#) (CSBS) issued a reminder to individuals and businesses that provide mortgage, money transmission, debt collection and consumer financial services to renew their annual licenses in the Nationwide Multistate Licensing System & Registry (NMLS).

Licensing renewal on NMLS is open through Dec. 31, according to a [news release](#) from the CSBS. To locate specific guidance under the California Financing Law, begin by selecting "California" on the NMLS [state licensing](#) page and follow the links to the transition checklists for the financing law. Information on NMLS renewal is available on the Annual Renewal page of the [NMLS Resource Center](#).

For more information on how the ACA licensing staff can assist with your licensing application completion needs, please contact us at licensing@acainternational.org or call (952) 926-6547. 

MEET YOUR LOCAL ASSEMBLY MEMBER

By Shawn Suhr

On Wednesday, I walked five blocks to a street corner beside Julia Child's favorite taqueria, La Super-Rica. This time, it wasn't for tacos. I went there at the invitation of my local assembly member, Gregg Hart.

When I got there, I first spoke with his aide, District Director Ethan Bertrand, formerly an aide to Salud Carbajal and someone I've been introduced to before. We exchanged cards, and I practiced my standard legislative day introduction. He was friendly and introduced me to assembly member Hart.

The assembly member and I spoke for about 10 minutes. We shared our backgrounds. I introduced him to the CAC mission, our legislative day, the Education Scholarship Foundation, who my agency is and what a contingency collector does, how long we have been in the community, how many people we employ, and what business sectors we touch.

Then we started talking about medical debt, and he was aware of the present Consumer Financial Protection Bureau comment period for medical debt credit reporting. I shared that we already see substantially lower recovery liquidation rates related to the March 31, 2023, \$500 minimum, and one year after Department of Defense rules. I explained how the

CFPB and state AGs had stepped around Congress and the Small Business Regulatory Enforcement Act (SBREFA) and pressured the credit reporting agencies. We discussed how a total ban on medical debt reporting harms consumers, medical providers, and the economy. He drew his own line on how it will impact access to health care.

In closing, I offered him to visit my agency to see how an agency functions and to please call on me should he have any questions about debt collection in general or how a bill may impact access to credit. He, in turn, invited me to visit him in Sacramento during our CAC Legislative Day in the spring. I told him, "I'll have Cliff Berg's office schedule it."

After the meeting, my business partner told me the assembly member's brother, Doug Hart, is married to CCC's Founder Edward Thompson's Daughter. So, I have agency family connection to reveal on our next encounter.

This 20 minutes of my day happened because I looked up my legislators and joined their newsletters. [Give it a try here](#), and see for yourself!



Gregg Hart speaks to constituents.