

Chapter 697

Collection Agencies; Debt Consolidating Agencies

Chapter 697

NOTES OF DECISIONS

That part of the chapter regulating debt consolidating agencies does not affect creditors rights or the law as to assignments for benefit of creditors. *Hall's W. Auto Supply Co. v. Brock*, (1965) 240 Or 85, 400 P2d 5.

FURTHER CITATIONS: *Beck v. Aichele*, (1971) 258 Or 245, 482 P2d 184; *People of Ore. ex rel. Johnson v. Debt Reducers, Inc.*, (1971) 5 Or App 322, 484 P2d 869.

ATTY. GEN. OPINIONS: Licensees with similar business names, 1950-52, p 109; legality of distributing a collection system form book, 1950-52, p 301; board's rule that solicitor be Oregon resident for one year, 1960-62, p 62; tithing to the General Fund, 1962-64, p 316; legality of unlicensed out-of-state firm advertising in Oregon for debt consolidating business, 1964-66, p 427.

LAW REVIEW CITATIONS: 50 OLR 28.

697.010 to 697.470

ATTY. GEN. OPINIONS: Tithing to the General Fund, 1962-64, p 316.

697.020

NOTES OF DECISIONS

Subsection (4) should be read as exempting the listed persons and institutions from the necessity of becoming a licensed agency. *Beck v. Aichele*, (1971) 258 Or 245, 482 P2d 184.

ATTY. GEN. OPINIONS: Company selling collection stickers and forms to be used by creditors, as a collection agency, 1940-42, p 88; accounting collection system which creates impression that third person is hired to collect, as carrying on collection agency, 1940-42, p 309; whether associations collecting accounts in Oregon by statements and letters from Chicago signed by the association must be licensed as collection agencies, 1940-42, p 409; whether a sale of accounts wherein the seller retains an interest renders the buyer a collection agency, 1942-44, p 58; whether credit league making collections as accommodation to other credit leagues or unions without compensation is engaged in business of a collection agency, 1942-44, p 257; legality of distributing a collection system form book, 1950-52, p 301; board's authority as to examination and licensing of applicants, 1956-58, p 61; subsidiary of a bank as a collection agency, (1970) Vol 35, p 87.

697.030

NOTES OF DECISIONS

ORS 697.020(4) should be read as exempting the listed persons and institutions from the necessity of becoming a

licensed agency. *Beck v. Aichele*, (1971) 258 Or 245, 482 P2d 184.

ATTY. GEN. OPINIONS: Subsidiary of a bank as a collection agency, (1970) Vol 35, p 87.

697.035

CASE CITATIONS: *State v. Horton*, (1967) 248 Or 141, 432 P2d 518.

ATTY. GEN. OPINIONS: Legality of one licensee operating two different businesses, 1964-66, p 306.

697.041

ATTY. GEN. OPINIONS: Right of foreign corporations and nonresidents to license, 1940-42, p 322; board's rule that solicitor be Oregon resident for one year, 1960-62, p 62.

697.061

ATTY. GEN. OPINIONS: Collection agency as authorized to do business at one place only, 1938-40, p 363; eligibility of more than one partner, or officer or director of a partnership or corporation, to qualify to operate the collection agency, 1952-54, p 64.

697.111

ATTY. GEN. OPINIONS: Board's authority as to examination and licensing of applicants, 1956-58, p 61.

697.120

LAW REVIEW CITATIONS: 4 WLJ 476.

697.146

ATTY. GEN. OPINIONS: Board's rule that solicitor be Oregon resident for one year, 1960-62, p 62.

697.190

ATTY. GEN. OPINIONS: Responsibility for conduct of partnership or corporate licensee, 1952-54, p 64.

697.230

ATTY. GEN. OPINIONS: Licensees with similar business names, 1950-52, p 109.

697.240

ATTY. GEN. OPINIONS: Responsibility for conduct of partnership or corporate licensee, 1952-54, p 64.

697.250

ATTY. GEN. OPINIONS: Failure of agency to account and pay as grounds for suspension or revocation of license, 1942-44, p 71.

697.261

ATTY. GEN. OPINIONS: Revocation of license on the ground of an assumed name similar to another firm, 1950-52, p 109; licensing a married woman by whom an assumed business name certificate has been filed, in her maiden name only, under such assumed name, and state license as not issuing to a married woman in any other surname than that of her husband, 1950-52, p 375.

697.402

ATTY. GEN. OPINIONS: Qualification as "licensee" of board member, 1952-54, p 35.

697.422

ATTY. GEN. OPINIONS: Board's authority as to examination and licensing of applicants, 1956-58, p 61.

697.610 to 697.785**NOTES OF DECISIONS**

This law in no way affects the law relative to assignments for the benefit of creditors, nor does it affect creditor's rights. *Hall's W. Auto Supply Co. v. Brock*, (1965) 240 Or 85, 400 P2d 5; *Rodakowski v. Budget Consultants, Inc.*, (1970) 255 Or 69, 464 P2d 686.

FURTHER CITATIONS: *Ferguson v. Skrupa*, (1963) 372 US 726, 83 S Ct 1028, 10 L Ed 2d 93; *People of Oregon ex rel. Johnson v. Debt Reducers, Inc.*, (1971) 5 Or App 322, 484 P2d 869.

ATTY. GEN. OPINIONS: Tithing to the General Fund, 1962-64, p 316.

697.615

ATTY. GEN. OPINIONS: Legality of unlicensed out-of-state firm advertising in Oregon for debt consolidating business, 1964-66, p 427.

697.620

ATTY. GEN. OPINIONS: Legality of unlicensed out-of-state firm advertising in Oregon for debt consolidating business, 1964-66, p 427.

697.665

LAW REVIEW CITATIONS: 4 WLJ 476.

697.733

LAW REVIEW CITATIONS: 48 OLR 156, 159.

697.780

ATTY. GEN. OPINIONS: Tithing to General Fund, 1962-64, p 316.

697.785**NOTES OF DECISIONS**

This section does not preserve to the Attorney General such common-law powers as he had with reference to class suits for damages. *People of Oregon ex rel. Johnson v. Debt Reducers, Inc.*, (1971) 5 Or App 322, 484 P2d 869.

ATTY. GEN. OPINIONS: Legality of unlicensed out-of-state firm advertising in Oregon for debt consolidating business, 1964-66, p 427.

697.790

ATTY. GEN. OPINIONS: Legality of unlicensed out-of-state firm advertising in Oregon for debt consolidating business, 1964-66, p 427.

697.810

ATTY. GEN. OPINIONS: Authority of commissioner in respect of denial, suspension, and revocation of licenses, 1934-36, p 439.

697.990

CASE CITATIONS: *Ferguson v. Skrupa*, (1963) 372 US 726, 83 S Ct 1028, 10 L Ed 2d 93.

ATTY. GEN. OPINIONS: Legality of unlicensed out-of-state firm advertising in Oregon for debt consolidating business, 1964-66, p 427.

697.992

CASE CITATIONS: *Ferguson v. Skrupa*, (1963) 372 US 726, 83 S Ct 1028, 10 L Ed 2d 93.