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2 **STATE OF CALIFORNIA**
3 **BUSINESS, TRANSPORTATION AND HOUSING AGENCY**
4 **DEPARTMENT OF CORPORATIONS**

5 TO: Brite Start Consulting Corp. Awaken Without Debt
6 3519 West Hillsboro Blvd. 6210 SW 15th Street
Deerfield Beach, FL 33442 Pompano Beach, FL 33068
7 Jose Castillo, Director Awaken Without Debt, Inc.
8 Richard W. Dean, Director 3527 West Hillsboro Blvd.
Amanecer Sin Deudas, Inc. Deerfield Beach, FL 33442
9 3519 West Hillsboro Blvd.
Deerfield Beach, FL 33442

10 **DESIST AND REFRAIN ORDER**
11 **(For violations of section 12200 of the Financial Code)**

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13 The California Corporations Commissioner finds that:

14 1. Amanecer Sin Deudas, Inc., is a for profit entity that filed its articles of
15 incorporation in the State of Florida showing its Registered Agent as Jose Castillo and its
16 Registered Office located at 3519 West Hillsboro Boulevard, Deerfield Beach, Florida 33442.

17 2. During relevant times Jose Castillo and Richard W. Dean were directors of
18 Amanecer Sin Deudas, Inc. Both Castillo and Dean show their offices are located at 3519
19 West Hillsboro Boulevard, Deerfield Beach, Florida 33442. Castillo and Dean conducted
20 business under several other business names including, but not limited to, Brite Start
21 Consulting Corp., Awaken Without Debt and Awaken Without Debt, Inc.

22 3. Amanecer Sin Deudas, Inc., owns the fictitious business name "Brite Start
23 Consulting Corp.," which does business at 3519 West Hillsboro Boulevard, Deerfield Beach,
24 Florida 33442.

25 4. Amanecer Sin Deudas, Inc., owns the fictitious business name "Awaken Without
26 Debt," and states its mailing address is 6210 SW 15th Street, Pompano Beach, Florida, 33068.
27 This entity also does business as Awaken Without Debt, Inc., and is located at 3527 West
28 Hillsboro Boulevard, Deerfield Beach, Florida 33442.

1 5. The above-named individuals through the entities described above engaged in the
2 following activities in violation of the Check Sellers, Bill Payers and Proraters Law pursuant to
3 the California Financial Code section 12000 et seq. They offered their services of receiving
4 money as an agent of an obligor for the purposes of paying bills (“bill payer”) and prorating
5 services to California consumers in advertisements, at their offices, via their telephone and
6 facsimile numbers, and through the Internet at a Web site located at www.britestartcc.org. Their
7 prorating services consist of debt-counseling services or programs, which include negotiations of
8 repayment plans with creditors of consumers whereby the above-described individuals or entities
9 and others, acting in concert or participation with them, will receive money from the consumer
10 for the purpose of distributing the money among a consumer’s creditors in payment of that
11 consumer's obligations. Their bill paying services involve the receipt of money as an agent of a
12 consumer for the purpose of paying the bills of a consumer.

13 6. In exchange for the above-described services California consumers were charged
14 and required to pay an initial retainer or set-up fee of approximately \$200. Consumers also paid
15 additional fees for any electronic funds transferred through the Automated Clearing House
16 (ACH), whereby individuals through the above entities initiated withdrawals from a consumer's
17 bank account(s) for bill payments to a consumer's creditors. A description of the services of the
18 debt-counseling program includes working with the consumer and creditors of the consumer to
19 arrange a payment schedule, wherein the above-named individuals and entities on behalf of the
20 consumer distribute payments monthly to the creditors of the consumer. Alleged benefits
21 associated with their program include reduced “finance charges or fines,” reduced or eliminated
22 interest charges, minimized monthly payments and the convenience of paying all their debts in
23 one monthly payment. Individuals and entities represent to consumers that they:

24 [c]an lower your monthly payments [sic] by 50%. In some cases, we
25 can even eliminate interest charges altogether and your entire monthly
26 payment is applied toward the principal.

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1 7. The Department of Corporations has jurisdiction over and regulates bill payers and
2 proraters under the Check Sellers, Bill Payers and Proraters Law set forth in the California
3 Financial Code section 12000 et seq. California Financial Code section 12200, states:

4 No person shall engage in the business, for compensation, of
5 selling checks, drafts, money orders, or other commercial paper
6 serving the same purpose, or of receiving money as agent of an
7 obligor for the purpose of paying bills, invoices, or accounts of
8 such obligor, or acting as a prorater, nor shall any person,
9 without direct compensation and not as an authorized agent for
 a utility company, accept money for the purpose of forwarding
 it to others in payment of utility bills, without first obtaining a
 license from the commissioner.

10 8. The definition of proraters is found in Financial Code section 12002.1,
11 which states:

12 A prorater is a person who, for compensation, engages in whole or in
13 part in the business of receiving money or evidences thereof for the
14 purpose of distributing the money or evidences thereof among
15 creditors in payment or partial payment of the obligations of the
 debtor.

16 9. The California Corporations Commissioner has not licensed Brite Start
17 Consulting Corp., Awaken Without Debt, Inc., Awaken Without Debt, Amanecer Sin Deudas,
18 Inc., Jose Castillo and Richard W. Dean in this State to act as a bill payer or prorater.

19 Based upon the foregoing findings, the California Corporations Commissioner is of
20 the opinion that Brite Start Consulting Corp., Awaken Without Debt, Inc., Awaken Without Debt,
21 Amanecer Sin Deudas, Inc., Jose Castillo and Richard W. Dean, acting in concert and/or in
22 participation with others, have been engaging in the business of bill paying and prorating as
23 defined in the Check Sellers, Bill Payers and Proraters Law without a license from the California
24 Corporations Commissioner.
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26 Pursuant to Financial Code section 12103, the California Corporations Commissioner
27 hereby orders Brite Start Consulting Corp., Awaken Without Debt, Inc., Awaken Without Debt,
28 Amanecer Sin Deudas, Inc., Jose Castillo and Richard W. Dean, individually, in concert and

1 participation with others, to desist and refrain from engaging in business as a bill payer or
2 prorater unless and until they are licensed or exempt. This Order is necessary, in the public
3 interest, and for the protection of consumers.

4 Dated: May 18, 2004
5 Los Angeles, California

6 WILLIAM P. WOOD
7 California Corporations Commissioner

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9 By _____

10 ALAN S. WEINGER,
11 Supervising Counsel
12 Enforcement and Legal Services Division
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