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STATE OF ARIZONA  
DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of the Consumer Lender  
License of:

**PROCEDURES CAPITAL LLC**  
(License No. CL-1017936)

**Respondent**

**No. 22A-020-FIN**  
**DEFAULT ORDER**

On September 14, 2022, the Arizona Department of Insurance and Financial Institutions (the "Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached as **Exhibit A** and incorporated by this reference. The Notice required Procedures Capital LLC ("Respondent") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On October 11, 2022, counsel for the Department filed a Motion for Default, a copy of which is attached as **Exhibit B**. As of this date, Respondent has not responded to the Department's motion. Pursuant to A.A.C. R20-4-1209(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

**FINDINGS OF FACT**

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

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**CONCLUSIONS OF LAW**

1. The conduct alleged in the Notice constitutes grounds for the Deputy Director to deny renewal of a license or suspend or revoke Respondent's license, pursuant to A.R.S. §6-605(A).

**ORDER**

IT IS ORDERED:

1. The consumer lender license held by Procedures Capital LLC is suspended effective upon the issuance of this Order.

2. The hearing set for **October 27, 2022 at 1:00 p.m.** shall be vacated.

DATED this 24<sup>th</sup> day of October, 2022.



---

Evan G. Daniels, Director  
Arizona Department of Insurance  
and Financial Institutions

1 **COPY** of the foregoing electronically filed  
2 this 25<sup>th</sup> day of October, 2022 to:

3 Velva Moses-Thompson, Administrative Law Judge  
4 <https://portal.azoah.com/submission>  
Office of Administrative Hearings

5 **COPY** of the foregoing emailed same date to:

6 Gio Espinosa, Regulatory Legal Affairs Officer  
7 Deian Ousounov, Assistant Director  
8 Ana Starcevic, Paralegal Project Specialist  
9 Tammy Seto, Financial Services Division Manager  
10 Steven Fromholtz, Licensing Manager  
Arizona Department of Insurance and Financial Institutions

11 James Rolstead, Assistant Attorney General  
12 [AdminLaw@azag.gov](mailto:AdminLaw@azag.gov)  
13 Attorney for the Arizona Department of Insurance and Financial Institutions

14 **COPY** mailed and emailed same date to:

15 Procedures Capital LLC  
16 8776 E. Shea Blvd., Ste. 106  
17 Scottsdale, AZ 85260  
18 Email: [brady@procedurescapital.com](mailto:brady@procedurescapital.com)  
19 Respondent

9489 0090 0027 6486 6710 13

20 *Ana Starcevic*

21 \_\_\_\_\_  
22 1073856  
23  
24

# Exhibit A

**STATE OF ARIZONA  
DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS**

In the Matter of the Consumer Lender License  
of:

**No. 22A-020-FIN**

**PROCEDURES CAPITAL LLC**

**NOTICE OF HEARING**

**(License No. CL-1017936)**

**(ALJ Velva Moses-Thompson)**

**Respondent.**

**DIRECTED TO:**

**Procedures Capital LLC  
8776 E. Shea Blvd., Ste. 106  
Scottsdale, AZ 85260  
Respondent**

**YOU ARE HEREBY NOTIFIED** that under Arizona Revised Statutes ("A.R.S.") §§ 6-138 and 41-1092.01, the above-captioned matter will be conducted through the Office of Administrative Hearings, an independent agency.

**Date of Hearing:  
October 27, 2022 at 9:00 a.m.**

**Location:  
Office of Administrative Hearings  
1740 W. Adams St.  
Lower Level  
Phoenix, AZ 85007**

Information regarding procedures, practice pointers, or the online filing of motions is available through the Office of Administrative Hearings' website at [www.azoah.com](http://www.azoah.com), or by calling their offices at (602) 542-9826.

The Office of Administrative Hearings has designated Velva Moses-Thompson, at the address and phone number listed above, as the Administrative Law Judge for these proceedings.

1 Under the Americans with Disabilities Act the Office of Administrative Hearings  
2 endeavors to ensure the accessibility of its hearings to all persons with disabilities. Persons  
3 with disabilities may request reasonable accommodations such as interpreters, alternative  
4 formats, or assistance with physical accessibility. Requests for accommodations should be  
5 made as far in advance of the Hearing as possible to allow time to arrange the  
6 accommodations. If you require accommodations, please contact the Office of  
7 Administrative Hearings by calling their offices at (602) 542-9826.

8 Under Arizona Administrative Code ("A.A.C.") R2-19-106 and R2-19-110, motions  
9 to continue this matter shall be made in writing to the Administrative Law Judge at least  
10 fifteen (15) days before the Hearing date, unless good cause is demonstrated. A copy of any  
11 motion to continue shall be filed and served according to A.A.C. R2-19-108, with a copy  
12 provided to the Assistant Attorney General identified below.

13 You may appear on the date and at the time and place specified in this Notice of  
14 Hearing ("Notice") with or without the assistance of counsel. Additionally, you have the  
15 right to present evidence in response to the allegations in this Notice, to have a reasonable  
16 opportunity to inspect all documentary evidence, to examine witnesses, to present evidence  
17 in support of your interests, and to have subpoenas issued by the Administrative Law Judge  
18 to compel the attendance of witnesses and the production of evidence. If you fail to appear  
19 at the administrative hearing (the "Hearing"), the Administrative Law Judge can proceed  
20 with the Hearing and issue a Recommended Decision. The Director of the Arizona  
21 Department of Insurance and Financial Institutions (the "Director") can then consider the  
22 Recommended Decision and make a final determination on this matter.

23 Under A.R.S. § 41-1092.07(E), a clear and accurate record of the proceedings will be  
24 made by a court reporter or by electronic means. Any party that requests a transcript of the  
25 proceedings shall pay the cost of the transcript for the court reporter or other transcriber.

1           **Under A.A.C. R20-4-1209, within twenty (20) days after service of a Notice of**  
2 **Hearing, the Respondent shall appear by filing a written Answer to the allegations in**  
3 **the Notice. The Answer shall state Respondent's position or defense and shall**  
4 **specifically admit or deny each assertion in the Notice. Any allegation not denied shall**  
5 **be deemed admitted. Any defense not raised will be considered waived. If a timely**  
6 **Answer is not filed, Respondent may be deemed in default and the Director may deem**  
7 **the allegations in the Notice as true and admitted. Accordingly, the Director may take**  
8 **whatever action is deemed appropriate.**

9           Pursuant to A.R.S. § 41-1092.06, the Respondent has the right to request an informal  
10 settlement conference ("ISC") by filing a written request with the Arizona Department of  
11 Insurance and Financial Institutions (the "Department") no later than **twenty (20) days**  
12 **before the scheduled hearing. The ISC will be held within fifteen (15) days after receiving**  
13 **the request. If an ISC is requested, a person with the authority to act on behalf of the**  
14 **Department will be present.**

15           Please note that in requesting an ISC, Respondent waives any right to object to the  
16 participation of the Department's representative in the final administrative decision of this  
17 matter. Any statements, either written or oral, made by the Department, Respondent, or their  
18 representatives at an ISC, including a written document created or expressed solely for the  
19 purpose of settlement negotiations, are inadmissible in any subsequent administrative  
20 hearing. *See* A.R.S. § 41-1092.06. Conversely, any written or oral statement made by any  
21 party outside an ISC may be admissible in any subsequent hearing.

22           Questions concerning issues raised in this Notice should be directed to Assistant  
23 Attorney General James Rolstead, 2005 North Central Avenue, Phoenix, AZ 85004,  
24 telephone number (602) 542-7720, or by e-mail at [James.Rolstead@azag.gov](mailto:James.Rolstead@azag.gov).

1 The purpose of the Hearing is to determine whether grounds exist to revoke  
2 Respondent's and its branch offices' consumer lender licenses. In support of its position that  
3 grounds exist, the Department alleges the following:

4 **PARTIES & JURISDICTION**

5 1. The Department was created and enabled to administer certain laws of the  
6 State of Arizona including the licensure and regulation of consumer lenders in this state.  
7 A.R.S. § 6-121 and A.R.S. §§ 6-601 *et seq.*

8 2. Procedures Capital LLC ("Respondent" or "Procedures Capital") was a  
9 licensed Arizona consumer lender, the holder of consumer lender license number 1017936.  
10 Procedures Capital's consumer lender license expired on June 30, 2022.

11 3. The Office of Administrative Hearings has subject matter and personal  
12 jurisdiction over the named parties in this Notice of Hearing and Complaint, under A.R.S.  
13 § 6-138 and A.R.S. §§ 41-1092 *et seq.*

14 **FACTS**

15 4. Procedures Capital is domiciled in Arizona and held a consumer lender license  
16 originally issued by the Department on January 28, 2021. Procedures Capital last renewed  
17 its license on June 27, 2021, and the license expired on June 30, 2022.

18 **VIOLATIONS**

19 5. Under A.R.S. §§ 6-604(B), the license year for a licensee begins on July 1 and  
20 ends on June 30 of each year. Procedures Capital did not renew its license in 2022, or pay  
21 the renewal fees, and the license expired on June 30, 2022.

22 6. All licenses issued remain in full force and effect until surrendered, revoked or  
23 suspended. A.R.S. § 6-604(C).

24 7. Under A.R.S. § 6-605(A)(3), the Director may suspend a license if the Director  
25 finds that a licensee has failed to pay the annual renewal fees.

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WHEREFORE, on the basis of the foregoing, the Department requests:

8. That Procedures Capital's consumer lender license be suspended under those statutes cited, and any other applicable statutes or rules.

DATED this 14<sup>th</sup> day of September, 2022.

*Gio Espinosa*

---

Gio Espinosa, Regulatory Legal Affairs Officer  
Arizona Department of Insurance and  
Financial Institutions

1 **E-FILE** of the foregoing delivered electronically  
2 this 14<sup>th</sup> day of September, 2022, to:

3 Velva Moses-Thompson, Administrative Law Judge  
4 <https://portal.azoah.com/submission>  
5 Office of Administrative Hearings

6 **COPY** of the foregoing mailed by U.S. Certified Mail,  
7 Electronic Receipt Requested, same date to:

8 Procedures Capital LLC  
9 Attn: Brady Wolf  
10 8776 E. Shea Blvd., Ste. 106  
11 Scottsdale, AZ 85260  
12 Respondent 9489 0090 0027 6384 9748 65

13 **COPY** of the foregoing electronically delivered same date to:

14 Deian Ousounov, Assistant Director  
15 Gio Espinosa, Regulatory Legal Affairs Officer  
16 Ana Starcevic, Paralegal Project Specialist  
17 Steven Fromholtz, Division Manager  
18 Tammy Seto, Financial Services Division Manager  
19 Arizona Department of Insurance and Financial Institutions  
20 100 North 15th Avenue, Suite 261  
21 Phoenix, Arizona 85007

22 Procedures Capital LLC  
23 8776 E. Shea Blvd., Ste. 106  
24 Scottsdale, AZ 85260  
25 [brady@procedurescapital.com](mailto:brady@procedurescapital.com)  
26 Respondent

James Rolstead, Assistant Attorney General  
[James.Rolstead@azag.gov](mailto:James.Rolstead@azag.gov)  
Attorney for the Arizona  
Department of Insurance and Financial Institutions

*Ana Starcevic*  
10614448

# Exhibit B

STATE OF ARIZONA  
Department of Insurance and Financial Institutions  
**FILED** October 12, 2022 by AS

1 **MARK BRNOVICH**  
Attorney General  
2 Firm Bar No. 14000

3 James Rolstead  
State Bar No. 025723  
4 Assistant Attorney General  
Public Law Section  
5 2005 N. Central Ave.  
Phoenix, Arizona 85004  
6 Telephone: (602) 542-7720  
Facsimile: (602) 542-4385  
7 E-mail: [James.Rolstead@azag.gov](mailto:James.Rolstead@azag.gov)  
Attorney for the Arizona Department of Insurance  
8 and Financial Institutions

9 STATE OF ARIZONA

10 DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

11 In the Matter of the Consumer Lender  
12 License of:

**No. 22A-020-FIN**

13 **PROCEDURES CAPITAL LLC**  
14 **(License No. CL-1017936)**

**MOTION FOR DEFAULT**

15 Respondent

16 The Arizona Department of Insurance and Financial Institutions (the "Department"),  
17 by and through undersigned counsel, hereby requests that the Findings of Fact and  
18 Conclusions of Law set forth in the Notice of Hearing and incorporated herein by reference  
19 be entered in this matter, deeming Procedures Capital LLC ("Procedures Capital") in default,  
20 deeming the allegations set forth in the Notice as true, and ordering that Respondent's lender  
21 license be suspended.  
22

23 On September 14, 2022, a Notice of Hearing ("Notice") was filed in this matter and  
24 served upon Procedures Capital at the mailing address of record via certified mail pursuant to  
25 A.R.S. § 41-1092.04. The Notice was also sent to Procedures Capital via the e-mail address  
26

1 of record.

2 Procedures Capital had twenty (20) days from the date of issuance of the Notice to  
3 file a written answer to the allegations contained therein pursuant to Arizona Administrative  
4 Code (“A.A.C”) R20-4-1209. As of the date of this Motion, Procedures Capital has not filed  
5 an answer nor has appeared through counsel. Rule 20-4-1209 of the Arizona Administrative  
6 Code provides that if an answer is not timely filed, the Respondent shall be deemed in  
7 default and the Superintendent may deem the allegations set forth in the Notice of Hearing as  
8 true and take whatever action is appropriate.

9  
10 The allegations supporting the Notice of Hearing are as follows:

11 1. Procedures Capital is domiciled in Arizona and held a consumer lender license  
12 originally issued by the Department on January 28, 2021. Procedures Capital last renewed  
13 its license on June 27, 2021.

14  
15 2. Procedures Capital did not renew its license in 2022, or pay the renewal fees,  
16 and the license expired on June 30, 2022.

17 3. Procedures Capital’s business and mailing address of record with the  
18 Department is 8776 E. Shea Blvd., Ste. 106, Scottsdale, AZ 85260. The business email  
19 address of record with the Department is [brady@procedurescapital.com](mailto:brady@procedurescapital.com).

20  
21 **CONCLUSIONS OF LAW**

22 4. Under A.R.S. § 6-604(B), the license year for a licensee begins on July 1 and  
23 ends on June 30 of each year.

24 5. Under A.R.S. § 6-604(C), all licenses issued remain in full force and effect  
25 until surrendered, revoked or suspended.  
26



1 Tammy Seto, Financial Services Division Manager  
2 Steven Fromholtz, Licensing Division Manager  
3 Arizona Department of Insurance and Financial Institutions  
4 100 North 15th Avenue, Suite 261  
5 Phoenix, Arizona 85007

6 James Rolstead, Assistant Attorney General  
7 James.Rolstead@azag.gov  
8 Adminlaw@azag.gov  
9 Attorney for the Arizona  
10 Department of Insurance and Financial Institutions

11 /s/ Susan Hack  
12 10736591

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