



# SCOPE

www.commercialcollector.com

Vol. 52, No. 5

Published by  
the International  
Association of  
Commercial  
Collectors, Inc.

## Collection Industry Cautiously Navigates Its Way Through The Storm *by David Schmidt*

**T**he impact of the Covid-19 pandemic on people, businesses and the economy is unprecedented. During a typical economic downturn, collection agencies and attorneys are used to helping their clients weather the storm, but seemingly from a safe distance. Because of the widespread disruptions caused by Covid-19, the collections industry has been forced to batten down the hatches and ride out the storm without the benefit of a safe harbor.

Bill Peterson has been a creditor's rights and collection attorney with Miller Cohen Peterson Young, P.C. for over 20 years. He observes, "Even the crashing of a market has not displayed the impact to day-to-day business in the way the events of the last few months have." Keep in mind those comments come from the perspective of a law firm that has been able to physically keep their doors open,

albeit with more work being handled remotely, serving states (Colorado and Wyoming) that did not completely close down.

For Brad Lohner, CEO of PCM Corp. and incoming President of the IACC, the impact has been even greater. "We haven't had business from some of our clients now for three months...it's like they're still on hold," he states.

PCM Corp. claims to be Canada's only nationwide credit, collections and lien filing agency, and as such is also impacted by what is going on below the 49th parallel. According to Lohner,

"My American colleagues are getting more claims in than they've probably ever had, so it hasn't impacted them as much. Whereas, in the Canadian market space, a lot of our clients just stopped placing claims because they were concerned about their public image and things like that."

Tony Terry, current IACC President and President of CRF Solutions, backs up Lohner's observations about the American scene. "In terms of placement from clients, it's dipped a little bit, maybe 10-15 percent," he says in reference to March and April. Subsequently May improved somewhat and Terry claims CRF Solutions had a really good month in June.

The biggest issue for both agencies has been dealing with businesses that closed. "We had to pause our efforts on those accounts, not knowing whether the business would re-open or not. As time has gone on, some of those businesses have just gone ahead and closed permanently while some have been able to re-open. We're just now getting to the point of making re-contact," explains Terry.

*continued on page 4*

## OFFICERS

### **Tony Terry**

President  
Continental Recovery & Filing  
Solutions  
Simi Valley, Calif.

### **Brad Lohner**

Vice President  
Priority Credit Recovery  
Edmonton, AB, Canada

### **Bill Mann**

Immediate Past President  
Joseph, Mann & Creed  
Twinsburg, Ohio

### **Jim McConville**

Treasurer  
Windham Professionals, Inc.  
Fair Lawn N.J.

## DIRECTORS

### **Wanda Borges**

Borges & Associates  
Syossett, N.Y.

### **Greg Cohen**

Caine & Weiner  
Sherman Oaks, Calif.

### **Randy Frazier**

BARR Credit Services  
Tucson, Ariz.

### **Thomas Hamilton**

American Lawyers Quarterly  
Cleveland, Ohio

### **Valerie Ingold**

Commercial Collection Corp  
of NY  
Tonawanda, N.Y.

### **Ronald Stiegel**

Euler Hermes Collections  
North America  
Owings Mills, Md.

### **Robert Tharnish**

ABC-Amega, Inc.  
Buffalo, N.Y.

### **Lee VandenHuevel**

Ross, Stuart & Dawson, Inc.  
Auburn Hills, Mich.

## EMERGING LEADERS HONORARY BOARD MEMBER

### **Bill Peterson**

Miller Cohen Peterson Young,  
P.C.  
Longmont, Colo.

## PRESIDENT'S



## LETTER

# IACC Updates from the Continuing President

*By Tony Terry, IACC President*

**H**ello everyone,

Well the Coronavirus Pandemic is still alive and kicking in most places. Hopefully, you, your business and your family haven't been too negatively impacted.

The IACC continues to provide resources, guidance and advocacy efforts on behalf of our valued members. Those resources can be found on the IACC home page at [commercialcollector.com](http://commercialcollector.com) and will be there for as long as necessary.

You may have seen, the 2020-2021 renewal statements which were recently sent to members. Recognizing this year has been challenging for many, an email was also sent letting you know you have the option to split payment into two equal payments due on September 1st and January 1st.

As you know, we had to cancel our mid-year conference scheduled for June at the Hyatt Regency in Austin, Texas. I am happy to report, we were able to reschedule the conference for June 22nd to June 24th, 2022 at the same hotel.

Looking ahead, we are still hoping to hold our annual conference from January 20th – 22nd, 2021 at the Wyndham Grand

in Clearwater Beach, Florida. We continue to monitor the environment in Clearwater and virus protocols the hotel has in place to protect guests. At the same time, we are working on a virtual conference in the event the COVID 19 Virus prevents us from having our meeting in person.

Between now and then, we are working on some virtual educational sessions to help our members meet their continuing education credits.

Finally, the IACC continues to monitor the activity in Washington as it relates to any restrictions placed on our industry. If you haven't written your representative on Capitol Hill, I would encourage you to do so. Sample letters are available to you on the IACC home page.

As 2020 continues to unfold, the IACC Team will continue to serve our membership. These folks work hard on your behalf and we are lucky to have them.

Best wishes to you, your employees and families. Stay safe and I hope to see you soon!

Sincerely,

Tony Terry  
IACC President

**Thank You**  
IACC 2020  
Diamond Sponsors



[www.appliedinnovationinc.com](http://www.appliedinnovationinc.com)



<https://www.unitedfieldchase.com/>



[bcpartners-llc.com](http://bcpartners-llc.com)

# Member News

## CAINE & WEINER ACHIEVES 2020 SOC I TYPE 2 STATUS

Los Angeles, CA— Caine & Weiner is proud to announce that the company has successfully completed the 2020 Service Organizations Control 1 Type 2 Audit (SOC 1 Type 2). This audit was conducted by CompVisory using the control objectives established by The American Institute of Certified Public Accountants (AICPA). Companies who successfully complete this audit can proudly display the blue AICPA/SOC seal.

Caine & Weiner's Audit reports on the controls placed in operation and tests of the operating effectiveness for the receivables and collections processing system.

Caine & Weiner, in fulfilling the

requirements to achieve the 2020 SOC 1 Type 2 status, continues to prove why we have been a leader in the accounts receivable management industry since 1930. Our clients rely on our best-in-class Receivables-to-Cash solutions to maximize their recoveries.

Caine & Weiner ([www.caine-weiner.com](http://www.caine-weiner.com)) is celebrating 90 years of continuous service as a global provider of highly effective and results-oriented 1st and 3rd party commercial and consumer accounts receivable management services in support of the Receivables-to-Cash Cycle. To serve the domestic market, the global Los Angeles-based enterprise maintains a network of five full-service call centers strategically located throughout the U.S. Through their valued best-in-class international relationships, Caine & Weiner has established an international presence in over 90 countries. to contribute or sign up to receive the newsletter.



\*If you'd like to submit any member news or press releases to be published in the next issue of scope please email [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com).

## IACC AFFINITY PARTNERS

The IACC Board and Affinity Committee have been working diligently on providing members additional benefits to their IACC membership through the Affinity Program. Each of these partners offers discounts exclusive to IACC members. For more information on a specific partner, visit the IACC website at [www.commercialcollector.com](http://www.commercialcollector.com).

If you have any questions about the Affinity Program, contact IACC at [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com) or (800) 859-9526. Please continue to watch your email for more Affinity partners!



### Optilingua INTERNATIONAL

Alphatrad provides documentation translation and telephone interpretation services.



Applied Innovation offers a suite of software solutions specifically for the collection industry.



Bridge Capital Partners provides payment processing services.



Codix is a debt collection and recovery software provider for an all-in-one software solution called iMX Debt Collection.



Polaris Assessment Systems, Inc. helps organizational leaders make smart decisions about the people they hire.



TCN is a cloud-based, multi-faceted telephony solution for all sizes of commercial collection agencies.



UNITED FIELD CHASE  
Contact Your Customer Today, The United Way

United Field Chase is a national field services provider, assisting businesses to make informed decisions.

He continues, “I’m pleased with where we are and where we’re headed. All of our clients are still in business. We haven’t had any fall off that way, though some of them have made decisions to hold off on placing claims because they’re working with their customers.”

In contrast, Lohner’s PCM Corp., which does both consumer and commercial collections, has seen some clients in the retail space calling it quits. He also notes there have been some consumer collection agency failures resulting from the loss of large retail clients. That situation has been aggravated by Covid-19 regulations that prevented anybody proceeding with collection activities against consumers.

Like everybody else, the industries they serve and the regions in which they operate have affected collection organizations during the Covid-19 crisis. The key to success in this fractured environment is to find an operating model that works for your company while also being able to deliver added value to your customers.

### Review Your Business Model

One common denominator expressed by collection industry leaders is their willingness to reassess their business models. A physical, office-based, centralized organization is, at least for the time being, not an option. Accepting that fact compels a willingness to find other ways to accomplish your core mission.

“First, we tried to ascertain the immediate impact of things to our commercial activity. In other words, how are revenue sources impacted? How are expenses impacted? What can you capture immediately and what will it take you a little bit of time to capture?” explained attorney Peterson. “Once you’re able to figure out your cash flow and expenses, you work inside of those parameters to both be more effective and also look for opportunities.”

**Table 1: Guidelines for Pivoting in a Crisis**

Take a hard look at your business fundamentals	<p><b>Prioritize:</b></p> <ul style="list-style-type: none"> <li>• What absolutely must be done (regulatory compliance)</li> <li>• What needs to be done (to adapt to the situation)</li> <li>• What else do you want to do (to drive improvement)</li> </ul>
Embrace Digital Transformation	<ul style="list-style-type: none"> <li>• Enable Fully Functional Home Offices - Computers, Webcams, Printers, Routers, Firewalls, Phones, Scanners, etc.</li> <li>• Participate in Virtual Meetings with Customers, Staff, Debtors, Attorneys, etc.</li> <li>• Facilitate Electronic Documents and Automated Workflow</li> <li>• Update Policies &amp; Procedures</li> </ul>
Accommodate the physical aspects of the business that must continue	<ul style="list-style-type: none"> <li>• Mail Handling</li> <li>• Onboarding/Training New Employees</li> <li>• Human Resource issues</li> <li>• Office Policies / Use</li> </ul>
Explore New Opportunities	<ul style="list-style-type: none"> <li>• Expand Advisory Services</li> <li>• Look to Enhance Customer Relationships</li> <li>• Cost Savings and Performance Enhancements</li> </ul>
Be Patient	<ul style="list-style-type: none"> <li>• There is no need to rush to conclusions while the situation is evolving</li> <li>• And remember, Rome wasn’t built in a day</li> </ul>

Lohner and his management team took a similar approach. They even went so far as to outline a 5-stage survival plan tied to revenue objectives. Salary reductions and other cost saving measures were tied to each tier that progressed from a modest impact down to a worst-case scenario. Lohner and his other executives were first in line for cutbacks. “Because we have this great staff and I don’t want to lose these folks, I’m taking the biggest hit first,” he shared. As it turned out, “March was not bad, April was okay and then May was terrible.” So, Lohner felt the impact as PCM moved, as it turns out, only partially to stage 1. Fortunately, June improved, so no further steps have been necessary.

In contrast to the restrictions Peterson and Lohner faced, CRF Solutions was confronted with California completely shutting down. “When we were ordered to shelter in place and had to close our office, we moved all of our staff, both on the collection side and on the construction notice side, into their homes. We got them all set up remotely,

which was a considerable undertaking, but we got it done within a couple of days and everybody has been operating from home since then,” Terry relates.

### Find Ways to Create Value

When the normal ways of doing things are disrupted, new opportunities are invariably created. That has certainly been the case for the collections industry as a result of the disruptions to the economy and life in general caused by Covid-19. For example, Peterson claims, “during difficult times, we have found creative ways to service our clients that we did not anticipate and that perhaps we wouldn’t have discovered had the circumstances been different.”

According to Peterson your objective becomes “trying to figure out a way to use your resources, your time, your effort, and your energy in a way that allows you to be effective that is different from an environment where you’re chained to

*continued on page 5*

a desk.” He adds, “We’ve worked hard to try to find available opportunities in the marketplace to provide service and provide advice...to be able to speak to the business conduct of our clients, and be able to help them be as effective as they can, while at the same time dealing with the fact we’re an existing business and we’re trying to be as effective as we can be for ourselves as well.”

The opportunities come in a variety of forms. “We found that a lot of business people weren’t aware of how to apply for the government’s stimulus programs,” explained Lohner. “We became a facilitator for those programs by teaching business owners how to apply, helping them to pre-qualify themselves and steering them in the right direction. By doing that we got a bunch of good payouts when they got their stimulus checks.”

Taking a similar tack, Peterson relates, “We were able to identify assets that we were able to execute on, relatively efficiently, for our clients’ benefit and were thus able to provide additional income streams for our clients during a difficult time. It’s one of the things that we were probably most proud of...how we were able to supplement our clients when they needed it most.”

Lohner is also taking advantage of the current disruption to be on the lookout for good quality acquisitions. “Unfortunate things happen to good people, so I’ll look for opportunities to purchase an operator,” he says. In addition, he’s keeping an eye out for good sales, management and collection talent that has been laid off, but he is also questioning the value of his real estate now that a distributed operating model has shown promise. In any event, “when we come out of this we want to be firing on all cylinders,” he concludes.

## Virtual Meetings Have Their Advantages

**T**he move to virtual meetings has been another catalyst for new value. Lohner discussed the benefits of meeting people via Zoom or Webex, who he would have only phoned in the past, noting that it allowed a peek into the other party’s home or office. “In a lot of cases for us, the customer experience was better. We’re all humans. We’re all trying to get through this together and the virtual meeting made it a bit more sociable.” Hopefully, that translates into earlier, larger reclamations.

That’s not the only upside to virtual meetings. Wanda Borges, of the NY law firm Borges & Associates, shared the advantages of virtual meetings in the court process. She recalls, “I actually had a Zoom court appearance in Texas in a case called Old Time Pottery. There were 43 participants, but it was very organized. Nobody spoke until the court called on them or they raised their hand.” This use of technology provides a tremendous benefit for attorneys and other participants in that they can be in court for a half-hour session without have to spend several hours of unproductive time travelling to and from the court.

## Improving Execution

**D**espite the current economic upheaval, collection agencies and attorneys, as well as the creditors they serve need to remain focused on performance. The circumstances may be unusual, but getting paid remains the ultimate goal, and everybody is in this together.

Lohner shares that he had a discussion with a senior level credit manager who “was suggesting that now is a really good time for collection companies and creditors to educate themselves about available automation technologies.” There is a benefit to working through your

portfolio of accounts both more quickly and more effectively, “not necessarily to reduce head count, but to make people a lot more efficient,” he concludes.

Speed is critical, especially with a deteriorating situation. Borges agrees with the need to move fast in this environment. “Those clients that are teetering, if you wait the normal six months before you place a claim with a collection attorney or collection agency, they could be gone. So don’t sit on them, move them faster,” she affirms.

Persistence also pays dividends. Borges tells the story of a client using a ten-day free demand letter from her office, while continuing to make contact. As a result the client was able to get the attention of the debtor and collect the funds. “The clients are realizing that perhaps the additional one-on-one phone call to the debtor is going to possibly go further today than using a collection agency or law firm,” she observes.

## Expect an Uneven Future

**W**hile things look better now than they did in April, it’s clear that there is a long road ahead. We are likely seeing only the tip of the iceberg in terms of bankruptcies. That and continued Covid-19 flare-ups will assuredly impact supply chains across industries, but it might not always be where one might expect. For the most part the restaurant industry has been hit hard, but many kitchens offering take-out are doing well. Even so, there is a significant impact on the suppliers and in our highly interconnected economy it hard to anticipate the next shortage or trouble spot.

Peterson explains, “even though I practice in Colorado and Wyoming, I’m impacted by the entire nation. My clients, from places like New York, were not sending files, so naturally from a business perspective I was impacted

*continued on page 6*

based on what was going on in New York, California, Florida, and Texas even though Colorado was not as impacted as those areas. We're all dependent on each other."

In places like NY, courts closed except for emergency filings, child care/abuse issues, and matrimonial cases. In regard to commercial and litigation, you could file a summons and complaint, but getting the index number, which normally took 24 hours, would take two weeks due to Covid. "The NY courts are not back to normal," claims Borges. "You're looking at months to process a motion. We're probably not going to see judgments entered for another two to three months."

Meanwhile, the Federal courts, including the bankruptcy system, never closed. "Most of our bankruptcy courts for the last several years have been permitting telephone appearances, but now everybody went to telephone appearances, even the judges aren't necessarily sitting in the courtroom," notes Borges.

Chapter 11 bankruptcies were up 20 percent in Q1, but many of those were retailers holding distressed debt, not firms impacted by Covid-19. We will have a better handle on that by the end of Q3, but be prepared for the unexpected. Interestingly, Modell's Sporting Goods and Nieman Marcus,

who both filed before the shutdowns, petitioned the courts to suspend the process because there was no sense in having liquidation sales when nobody could shop. Modell's finally announced their going out of business sale in early July, so don't be surprised by unusual delays.

Another concern is the specter of regulation. "The one thing that concerns me as well as others in the industry," explains Terry, "is what the government is doing to restrict our efforts to collect our client's money. We understand they're trying to protect the funds the government has made available to people that have been hurt by this pandemic. We understand that stuff should be off-limits, but what they're trying to do with some of this legislation is put a complete moratorium on the ability to execute on judgments."

Lohner is also concerned, but for a different reason. "Legislation is always behind technology, and my fear is they're going to be giving us issues with compliance for having remote staff, security issues, and they're going to want more licensing fees," he states.

optimistic," Lohner exclaims, "but one of the things that scares the heck out of me, and I think holds true for the US as well as Canada, is the economic stimulus for small business is going to come to an end at some point. I'm thinking that's going happen in September or October, at least in the Canadian market space, and that's going to have a major impact."

"I think that bankruptcy filings will go up and placements will go up and the collectability will go down, but I just don't think it will be as bad as it was [in the Great Recession of 2008] and I don't think it'll last as long," claims Terry.

Peterson also retains a positive outlook. "I think the economy will continue to develop, not because it will be allowed to, but because it will need to. I'm a firm believer that people drive markets and markets don't drive people. I feel our industry will continue to be creative and industrious in a way that will allow our industry to evolve to service our clients in the best way that we can." Amen to that.

## Stay Cautiously Optimistic

**D**espite all the turmoil and uncertainty, there is reason to hope. "We feel reasonably, cautiously

## MEMBER REPORT

For more information on the IACC Certified Commercial Collector Program, visit the IACC website at <https://www.commercialcollector.com> and click on "Members" then on "Collector Certification."

### NEW AGENCY MEMBERS:

**AMG Account Services LLC**  
Primary Contact: Craig Gitlitz  
Syosset, N.Y.

### NEW ASSOCIATE MEMBERS:

**Laforgue Queffeuilou Avocats Associes**  
Partner: François Laforgue  
Paris, France

# Remote Online Notarization: A Logical Alternative During the COVID-19 Pandemic, but Not Necessarily New

By: Wanda Borges, Esq. from Borges & Associates, LLC.

In March 2020 business in the USA came to a standstill in most states. Non-essential businesses were ordered to close their doors. Business struggled to learn quickly how to conduct business remotely. One progressive step which was taken was not noticed by most businesses. Every attorney and agency, at one time or another, needs an affidavit from its client. Whether that is a verification of an initial complaint in a lawsuit or an affidavit in support of a motion for summary judgment, the procedure is the same. The client must present itself before a notary public and execute the document before that notary who will attest to the signature. The immediate dilemma became apparent. How does one present himself/herself before a notary when businesses have been shut down? Fortunately, as well as signing Executive Orders related to business closures and COVID safety, many Governors have also been signing Executive Orders permitting notarization to take place remotely. This type of notarization is referred to as Remote Online Notarization or RON



As of August 2020, twenty-seven states have permanent laws permitting remote online notarization.

## STATES WITH PERMANENT PROVISIONS FOR REMOTE ONLINE NOTARIZATION.

*Note although legislation has been passed, some of these statutes do not take effect until dates in the future.*

- » Alaska, - permanent bill amends Alaska Statutes Chapter 24 effective January 1, 2021
- » Arizona's statute is found at Title 41, Sections 41-371 through 41-380 of the Arizona Revised Statutes, effective April 10, 2020.
- » Colorado – permanent law amends Colorado Revised Statutes Chapter 130, effective December 31, 2020
- » Florida amends various parts of Chapter 71 permitting remote online notarization effective January 1, 2020,
- » Idaho adopted the Revised Uniform Law on Notarial Acts and permits remote online notarization, effective January 1, 2020
- » Indiana revised various sections of the Indiana Code and added provisions for electronic and remote online notarization, effective July 1, 2019
- » Iowa adopted the 2018 Revised Uniform Law on Notarial Acts amendments which, permits remote online notarization, effective July 1, 2020
- » Kentucky adopted Revised Uniform Law on Notarial Acts and permits remote online notarization effective January 1, 2020,
- » Louisiana adopted permanent laws permitting remote online notarization., effective August 1, 2020. However, the statute still requires final provisions and is somewhat contingent on the passage of the U.S. Secure Notarization Act. If that Act does not pass by January 1, 2022, then the Louisiana statute will become final and permanent.
- » Maryland – permanent law amends Sections 18-102, 18-103(d)(4), 18-104, 18-109, 18-110, 18-112, and 18-114 of, adds new Sections 18-201-18-227 to and repeals Sections 18-105 through 18108, 18111, and 18-113; and 19-101 through 19-301 of State Government Article in the Annotated Code of Maryland, effective October 1, 2020
- » Michigan has allowed remote online notarization since 2018 but only using approved vendors.
- » Minnesota has enacted the Revised Uniform Law on Notarial Acts and permits remote online notarization, effective January 1, 2019
- » Missouri – enacted a complete overhaul of its notarization laws and added provisions for remote online notarization, effective August 28, 2020
- » Montana was one of the earliest states to adopt remote online notarization with the passage of its statute in 2015.
- » Nebraska – enacted laws Amends Sections 64-105, 64-113, 64-203, 64-205 and adds as yet uncodified sections to the Nebraska Revised Statutes, effective July 1, 2020.
- » North Dakota adopted the Revised Uniform Law on Notarial Acts and permits remote online notarization, effective August 1, 2019.
- » Nevada Statute Chapter 2540 has permitted remote online notarization since 2018.

*continued on page 8*

- » Ohio amended various of its statutes pertaining to notarization, permits remote online notarization. Amendments effective September 20, 2019.
- » Oklahoma Adds Section 87 of Title 18 and Sections 201 through 2014 of Title 49, and amends Section 5 of Title 49 of the Oklahoma Statutes, effective January 1, 2020 permitting remote online notarization.
- » South Dakota has enacted RON laws, but South Dakota limits RON to notarizing paper documents only.
- » Tennessee amended its Chapter 931 of the Tennessee statutes to permit remote online notarization, effective July 1, 2019,
- » Texas has permitted remote online notarizations since 2018.
- » Utah Amends Sections 46-1-1, 46-1-2, 46-1-3, 46-1-4, 46-1-6, 46-1-6.5, 46-1-10, 46-1-12, 46-1-13, 46-1-14, 46-1-15, 46-1-16, 46-1-17, 46-1-18, and 46-1-21 of and adds Sections 46-1-3.5, 46-1-3.6, 46-1-3.7 to the Utah Code Annotated, permits remote online notarization effective November 1, 2019.
- » Vermont enacted its statute in 2018 permitted remote online notarization. However, the statute could not be fully implemented until Vermont's Secretary of State established rules. On March 20, 2020 in response to the COVID pandemic, emergency rules were enacted.
- » Virginia was the first state which enacted its law in 2012 to permit remote online notarization.
- » Washington- permanent law amends Washington Revised Statutes Chapter 154 effective October 1, 2020.
- » Wisconsin adopted the Revised Uniform Law on Notarial Acts and permits remote online notarization, effective May 1, 2020.

In addition, various states have temporary authorizations to perform Remote Online Notarizations by way of Executive Orders or temporary laws. These temporary laws and/or Executive Orders are subject to change on a day-to-day basis. As of this writing, this information is believed to be accurate.

## STATES WITH TEMPORARY PROVISIONS FOR REMOTE ONLINE NOTARIZATION AS OF AUGUST 2020

Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Hawaii, Illinois, Kansas, Maine, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, West Virginia, Wisconsin, and Wyoming.

Anyone relying on these temporary laws or executive orders need to check to determine if these temporary authorizations have been continued or have terminated.

It is also important to note that the states rules for implementation of RON differ one from another. While many states' rules are similar, one should check to be certain that the specific state rules are followed.

Just by way of example, Arizona's statute authorizes a Notary who is physically located in Arizona and authorized to perform remote online notarizations to perform notarial acts by means of communication technology for a remotely located individual in Arizona, outside of Arizona but within the United States, and outside of the United State under specific conditions. But Arizona has 38 provisions explaining, clarifying, and restricting the ability to perform RON's. Some of its requirements are:

- Arizona Notaries must register to perform remote online notarizations and must comply with all requirements for electronic notarizations in the state and must re-register each time they renew their commission.
- Notaries must submit information about the technology vendor they plan to use for performing RONs when registering with the Secretary of State's office. If the Notary intends to use a different technology vendor than the one originally submitted with the Notary's registration, an amendment to the Notary's application must be submitted to the Secretary of State's office.
- The Notary must identify a signer for a RON through one of the following options: (a) personal knowledge; (b) multi-factor authentication that must include remote presentation of an ID to the Notary, credential analysis by a reputable third party and knowledge-based authentication or (c) the oath or affirmation of a credible witness who personally knows the signer and can be identified by the Notary through personal knowledge or the multi-factor authentication process described above.
- The communication technology used for RON must provide synchronous audiovisual feeds and sufficient video resolution and audio clarity for the Notary and signer to see and speak with each other. It also must provide reasonable security to prevent unauthorized access to the live transmission of the audiovisual feed, the methods used to verify the signer's identity, or the electronic record being notarized.
- The notarial certificate used for the RON must state "This remote online notarization involved the use of communication technology."
- The Notary must keep one or more electronic journals and an audiovisual recording of each RON in a computer or other electronic storage device and protect the electronic journal and recording from unauthorized access with a password or cryptographic process.



## Your Personalized Payments Solution

Bridge Capital Partners is a payment processing company that specializes in servicing the Collections Industry.

- Accept Credit, Debit (Visa, MC, Disc, Amex, HSA/ Flex) and ACH
- Convenience Fee Model- Offset the cost of payments with the most compliant solution on the market
- Level 3 Interchange Optimization makes it cheaper to accept large from clients
- Integrations with all the major Collection Software's
- Multiple web payment options ranging from simple to sophisticated
- Industry Expertise- Bridge has serviced the ARM industry for 9+ years

### **IACC Promotion:**

For IACC members we are waiving all start-up costs (including payment build costs) and cancellation costs, so you can try us risk free. We are also offering specialized pricing - we guarantee to beat your current vendors pricing!

If you would like some more information on our services or a quote please contact Dan.

#### **Dan Cadesky**

Dan@bcpartners-llc.com

Desk: 416-546-6571

# An Interview with the Board

## Featuring: Brad Lohner, IACC Vice President

**B**rad Lohner, President and CEO of Priority Credit Management Corp., has been a member of IACC since 2009 and serving on the board since 2017. Take a moment to learn about his history and hard work in the commercial collection industry!

**How did you get started in the Commercial Collection industry? How long have you been with your company?**

I've been involved in the collection industry since 1986 and specifically the commercial sector since 2005, when I founded Priority Credit Management Corp.

**What professional accomplishment are you most proud of?**

I've had many successes over the years: published author, government/industry panelist, and of course being asked to join the IACC Board.

**What has been the biggest challenge of your career?**

My biggest challenge has been to pass control of my team. It was always my plan to do so, but when faced with reality, it was harder than I imagined.

**What big changes has your company gone through in recent years? What have you learned from that?**

We decided to expand our practice to include not only third-party debt recovery, but also outsourced credit control, Construction Lien filing, and our newest SaaS model for receivable management automation. Creditors want actionable data and intelligence in their business, and PCM strives to provide them with the value they can't do without.

**Can you describe a typical workday?**

My role is more in an advisory capacity these days. I sit in on management meetings but remain quiet unless asked for my opinion. If I see something where I might add some

value, I have a private consultation with our executive team.

**How do you inspire your employees?**

Communication Communication Communication! I don't get involved in the day to day with the staff, but at company-wide kickoff meetings, I offer some words and acknowledgments. I also send hand-written note cards to team members if they have done something that is in line with our companies Value Statement. We value Accountability, Caring, and Empowerment (ACE)

**How do you think the coronavirus pandemic has impacted the Commercial Collection industry?**

**What are the short-term and long-term ramifications from your view? Is there a silver lining?**

This story continues to evolve. In Canada, the federal government instituted many forms of financial assistance, from payroll assistance to landlord assistance, and emergency loans. The payroll program has been extended until the end of the year, which has been boon to many businesses. We see a 4 X jump in the Canadian version of Chapter 11 filings, and we expect this to skyrocket early next year after the ending of subsidy programs. If we were simply a third-party agency, we would be in trouble; however, companies and credit managers need the other services we provide so that we will be alright. The silver lining will be the liberation of significant assets from poor management during the insolvency processes, which we hope will create a new wave of entrepreneurial spirit.

**Why did you initially join IACC?**

I was approached by some of my colleagues and asked to consider joining. I appreciated the ask because it provided me with a way to give back to the industry that fed and clothed my family



all these years.

**You've been a very active member with IACC over the years. Is there one thing you've done with IACC that sticks out as being particularly rewarding or enjoyable?**

Yes, without hesitation, it's been the ability to help my colleagues around the world who required some help with Canadian claims. I value their trust in our company and know that when I require assistance, I have someone I can trust in the country where I need help too.

**Where do you see the industry heading in the next year or two, and what role do you think IACC will play/what role do you want your company to play?**

I see ownership transitions continuing to occur at a rapid pace as current ownership ages out. Some agencies will cease to operate, while others will become larger through acquisitions. The IACC will play a pivotal role in helping the medium and large agencies to get the word out to the credit granting community that compliance and financial stability are of utmost importance, and our Certification program will be revamped to offer those assurances.

If you'd like to reach out to Brad at Priority Credit Management Corp. you can contact him with the information below.

**Priority Credit Management Corp.**

Phone: (780) 486-0219

Fax: (780) 486-3998

brad.lohner@pcrgroup.ca

- The journal must be retained for at least 5 years after the last remote online notarization recorded in the journal.
  - The audiovisual recording of the RON may not include images of the electronic document that was the subject of the notarization and must be retained by the Notary for at least 5 years after being made.
  - The Notary must take reasonable steps to ensure that a backup of the electronic journal and audiovisual recordings exists and is secured from

unauthorized use  
Not every state is as rigorous as Arizona, but this is a good example to note how care must be taken to obey the rules of each state. Many states, such as New York, permit RON but only by a notary located in New York of a person also located in New York.

## Upcoming Education

Check out IACC's event page for upcoming online education from CCC Recertification, Emerging Leader, Hot Topics to general education.

[commercialcollector.com/events](https://commercialcollector.com/events)

# UNITED FIELD CHASE

NATIONAL FIELD SERVICES COMPANY.

ASSISTING BUSINESSES TO MAKE  
INFORMED DECISIONS.

UNITEDFIELDCHASE.COM

**EMAIL ADDRESS**

[info@unitedfieldchase.net](mailto:info@unitedfieldchase.net)

**TELEPHONE NUMBER**

561.488.4950

**FAX**

561.488.4951

**MAILING ADDRESS**

PO Box 880261

Boca Raton, FL 33488



UNITED FIELD CHASE  
Contact Your Customer Today, The United Way

# IACC Emerging Professional Spotlight Interview

Valerie Ingold - presented by the Emerging Leader Committee



## Tell us a little bit about yourself...

I come from a large family that's very close. I've been with my husband for 21 years and working for CCC for 22. I'm an animal lover, and have had cats, dogs and a very large amphibious turtle. I own a photography business with my husband and my role in each company allows me to exercise both my business acumen and my artistic side.

## Where did you grow up? Where did you go to school?

I'm born and raised in Buffalo. I grew up in the suburbs surrounding Buffalo and moved to the city in my early 20's, where I fell in love with Buffalo's energy, architecture and the rebirth that was happening around the same time I moved. I went to the University at Buffalo and graduated with two art degrees, which have helped me in critical thinking, but didn't do much for going into business! I've since gone back to school and am currently enrolled in UB's School of Management department in their Center for Entrepreneurial Leadership program.

## Who have been your strongest influences in your life?

Hands down my parents.

My dad has been my mentor, my parent, my boss and the person guiding me through most of the difficulties in my life with advice and wisdom. He left a corporate job when my mom was pregnant with me, to take a risk on a

little company and it involved a pay cut and a move to a different city. He's been at CCC all my life and has grown the company exponentially during his tenure. He's taught me almost everything I know about business and has encouraged me to go back to school to learn more. He's taught me about taking risks and betting on yourself. He's a titan in our industry because he believes in our industry, he's an advocator in everything he does and he believes in loyalty and respect, for clients, employees and competitors, above all else and passed that on to me. He and my stepmom support me personally and professionally in all that I do.

My mom went back to school when I was a teenager and earned a degree in sculpture. She was a stay at home mom when I was growing because it was important to my parents that there be someone at home for us. She is a feminist, an environmentalist and an animal lover. She taught me to never accept second best for myself, to always fight for myself and for what's right and to be true to myself. She's a free spirit, she has shown me that everyone has a different path and as long as I'm living my truth I will succeed. She's been proud of everything I've done and has supported me in every endeavor.

And of course my husband. We met very young and we grew up together. We have changed so much from the kids we were to the adults we now are, and we've done it together. We're still finding our way; my grandfather used to say only the first 100 years of marriage is hard, after that it's a breeze! But after all these years we still make each other laugh and we love to go on adventures together. He's been by my side through it all.

## Can you describe yourself using 3 to 5 words?

Tenacious. Loyal. Optimistic. Driven. Adventurous.

## Do you have any particular hobbies or interests?

I love traveling and travel (or did, anyway) as much as possible, both professionally and personally. I'm an avid reader and always have a book laying around. I spend a lot of time with my dogs, watching movies (they're couch potatoes too) or going on walks. My family is very close and we spend a lot of time together as well. And I own a photography business with my husband that keeps me busy in my 'down time'.

## What motivates you?

Our customers and staff motivate me. I'm very passionate about customer service and believe in giving our best every time. Making sure our employees are satisfied with the work they're doing and are able to support themselves and their families and making sure we're making our clients lives easier at every turn is what motivates me to do the best I can everyday.

## How long have you been in the collection industry?

22 years!

## How did you end up in this industry?

By accident of course! I was going to be an installation artist and went to school for photography and art history. Then I discovered installation art rarely pays and rent is due every month. I started at the company part time and then full time after college. When I moved into management I discovered I had a talent for it and really enjoyed what I was doing. The rest as they say is history.

*continued on page 13*



# Applied Innovation™

## ClientAccessWeb™

ClientAccessWeb is Applied Innovation's flagship software solution, automating workflow between agencies and their clients. Communicate with clients via secure messaging, receive placements with customizable templates, and provide clients with interactive account inquiry screens and on demand reporting tools. Streamline your business and turn those prospects into clients by implementing ClientAccessWeb.

## PayStream™

Designed to get your consumer debts paid, 24/7, while reducing your overhead. Applied Innovation's virtual collector, PayStream, will walk the consumer through various payment scenarios based upon your business practices. Compliance is never an issue with identity authentication, customized legal language and notifications. Eliminate processing fees by using PayStreamZ, further increasing your bottom line.

## Papyrus™

Applied Innovation's Papyrus is a robust content management software solution that will increase profitability. Papyrus allows seamless delivery of statements, reports, voice and data files directly to ClientAccessWeb; reducing print and mail costs. Security features include encrypted messaging, permission-based access to files and redaction. Nearly instantaneous file retrieval saves time and money.

## GreenLight™

GreenLight is an E-signature solution for accounts receivable management organizations. Designed to speed up the pace of receivables, GreenLight allows consumers to provide consent for payment. The platform allows company personnel to create a payment plan while the consumer is on the phone and send the plan via SMS text or email to the consumer for immediate approval. The authorizations contain all requirements set forth by EFTA and Regulation E.

• Call to learn more and ask for a virtual demo •  
800.589.5651     [sales@appliedinnovationinc.com](mailto:sales@appliedinnovationinc.com)  
[www.appliedinnovationinc.com](http://www.appliedinnovationinc.com)

**What is your current role in your company?**

I'm a Vice President at CCC and I oversee several departments- Outsource, IT & Operations.

**What was your first job?**

My first job was at CCC actually, in college I started answering phones and doing the mail. I left for a series of jobs in the service industry- I was a hostess, a busser and a waitress for a few years and then went back to CCC making outsource calls in between classes.

**What other roles have you played in your current company?**

I've answered phones, managed mail, made 1st party calls, was the supervisor of the outsource dept (ran the day to day), managed the department and am currently VP and manage several departments.

**Where do you see your company in 5 years (as compared to where it is now)? Do you see changes on the horizon in terms of things like technology (both in terms of your business and our industry more generally)?**

We are only predicting growth on the horizon. How much will depend on what the next couple of years looks like after the pandemic but we're anticipating continued grow. As far as technology goes, I think we're on the cusp of our industry being revolutionized by technology. As an industry we've been in something of a tech gap compared to other industries but I believe we're starting to see that shift now. I think the next 5 years will be pivotal to the future of our industry and at CCC we're investing in that tech now to prepare for the future of our company and industry in general.

**Did the pandemic improve your operations in any way?**

It's shown us that we can be more flexible than we thought we could be and it's shown us truly how outstanding our

---

"That it's a good and honorable career choice. That we get a bad rap but collections helps to hold up our economy and we're a pivotal part of any business model."

---

people are. We were able to pivot very quickly and it's a testament to our team that they were able to come together and make such a large transition so seamlessly.

**What do you find most challenging about collections?**

It can be a hard sell even to the right people and it's often a long game you're playing.

**If you could change one thing about our industry, what would it be?**

I know the typical answer to this is the regulations, and it's true I'd like to see our industry less regulated in general but I think, in theory anyway, the regulations make us better as an industry. Being regulated has made us generally more civil to people and more creative about the way we've had to collect. I say this from a commercial vantage point of course but part of our bad rap came from the lines collectors would regularly cross with no ramifications. On the other side I wish the regulations would catch up to 2020 and start to include guidelines for texting and calling cell phones as that's the primary way people communicate now.

**What do you wish other people knew about collections?**

That it's a good and honorable career choice. That we get a bad rap but collections helps to hold up our economy and we're a pivotal part of any business model. I tell my people and it's one of our mottos- we keep businesses in business- bottom line. There is no

business operating that can continue to do so for long with their receivables out of control. We make sure they stay in business and they're able to continue employing people and servicing their customers. The role collections plays in the economy is no small thing. Outstanding receivables will take a company down and it's our job to make sure that doesn't happen.

**What might (someone) be surprised to know about you?**

That I'm not as intimidating as I often first come across!

**What would you tell someone who is thinking about getting into the collections industry?**

That it's a great career path, it can bring you satisfaction and success if you're good at it. That there are many ancillary positions needed in a collection agency, so if being a collector doesn't suit you, don't give up on the profession. And keep your sense of humor, you'll need it!

**Are you involved with any non-profit organizations or charity groups?**

Personally, I run a block association that has around 500 households in my neighborhood. We've worked to eliminate crime in the neighborhood and ten years ago we turned an abandoned lot into a community garden that helps to feed the neighborhood and donates what's left to the local food bank.

At CCC, one of our core values is to give back to the community we work in and to that end we participate in the Light the Night, Breast Cancer and

Hospice fundraisers every year. We have a Toys for Tots drive every year, as well as a clothing drive for the Buffalo City Mission. We've worked with the United Way, National MS Society, local animal shelters and the MDA in past years. We also have many employees involved with charities and encourage them to get participation in the office, and as a company we match donations. We believe it's imperative to share our success with people and organizations working to make the world a better place for all of us.

**If you weren't doing what you currently do for work, what would you be doing instead, or what would your life be like?**

The fundamentals of my life wouldn't be much different. I discovered when I became a manager that I love managing people. I love to help steer our company towards the future. I work with incredible people who love our company and the industry as I do. We've learned to

build our business on respect and loyalty, both for our employees and clients. I think if you start from there- a place of fundamental respect and loyalty, the details might be different but the scope of what you do remains the same.

**What do you enjoy most about the collection industry?**

The people. Ours is such a unique industry, we're so vital to a healthy economy but we're so reviled at the same time. It's an industry that draws interesting people to it. I've traveled the world speaking with credit and collection professionals from all over the globe and almost everyone who has found their career in collections carries the same passion for it, no matter where they're from. I love finding out how our clients and colleagues came to collections; they've almost always come from somewhere else, found themselves in credit and collections and discovered they loved it.

# SCOPE

*Scope* is a bi-monthly newsletter available to members of IACC. IACC is located at 4040 W. 70th St., Minneapolis, MN 55435. You may contact the IACC office at (952) 925-0760 or via email at [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com).

This information is not intended as legal advice and may not be used as legal advice. It should not be used to replace the advice of your own legal counsel. Any information contained in this material is based on current research into the issues and on the specific facts involved herein.

©2020 International Association of Commercial Collectors, Inc. All Rights Reserved.

## Directory of Associate Members

**W**hen forwarding accounts, please use IACC's Associate (attorney) members! Remember to let the Associate member know you are forwarding to them because they are IACC members so they will see the value in their membership with IACC.

- To find complete contact information, please visit the Member Directory on the IACC website at [www.commercialcollector.com](http://www.commercialcollector.com) and click on the directory button on the top right hand side of the home page.
- When forwarding to Associate Member law firms, we recommend that you designate IACC and a Law List in your forwarding letter and notify the Law List designated. These actions will ensure your account is covered by the Law List's bond and let the associate member know it is coming from a fellow IACC member. The Law Lists that are members of IACC include:
  - » American Lawyers Quarterly [www.alqlist.com](http://www.alqlist.com)
  - » The Columbia Law List [www.columbialist.com](http://www.columbialist.com)
  - » The Forwarders List of Attorneys [www.forwarderslist.com](http://www.forwarderslist.com)
  - » General Bar Law Directory [www.generalbar.com](http://www.generalbar.com)
  - » International Lawyers Company [www.lawlistil.com](http://www.lawlistil.com)
  - » Wright Holmes Law List [www.collectioncenter.com](http://www.collectioncenter.com)

If you have any questions, please do not hesitate to contact the IACC staff at (952) 925-0760 or [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com).

