

**STATE OF CALIFORNIA  
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY  
DEPARTMENT OF BUSINESS OVERSIGHT**

TO: 1<sup>st</sup> Call Consultants, Inc., also known as 1<sup>st</sup> Call Collateral  
Mark Colter

3000 Riverside Drive, #103  
Coral Springs, Florida 33065

3200 N. Federal Highway  
Boca Raton, Florida 33431

**DESIST AND REFRAIN ORDER  
(For violations of Financial Code section 22100)**

The Commissioner of Business Oversight (Commissioner) finds that:

1. At all relevant times, 1<sup>st</sup> Call Consultants, Inc., also known as 1<sup>st</sup> Call Collateral (1<sup>st</sup> Call) was a Florida entity of unknown form doing business in California, with addresses at 3000 Riverside Drive, #103, Coral Springs, Florida 33065, 3200 N. Federal Highway, Boca Raton, Florida 33431 and an email address of correspondent@1stcallcollateral.com. There is no record of any corporate filings for an entity named 1<sup>st</sup> Call Consultants, Inc., in Florida, California, or any other state.
2. 1<sup>st</sup> Call maintains a website on the internet at www.1stcallcollateral.com. On their website, 1<sup>st</sup> Call offered “retail lending products” that earned private and institutional investors “lucrative returns”.
3. At all relevant times, Mark Colter (Colter) was an individual with a last known business addresses at 3000 Riverside Drive, #103, Coral Springs, Florida 33065 and 3200 N. Federal Highway, Boca Raton, Florida 33431, and an email address of mark.c@1stcallcollateral.com. Colter represented to consumers that he was the “National Sales Director” and “Vice President” of 1<sup>st</sup> Call.
4. Beginning in at least 2018, Colter cold-called a California borrower offering 1<sup>st</sup> Call’s services. Sometime in 2019, 1<sup>st</sup> Call and Colter engaged in the business of a finance lender and/or broker in California by entering into a “credit lending” agreement with this California borrower after promising to secure a \$2 million dollar “discretionary revolving line of credit” for the borrower. Colter was the main point of contact for the California borrower at 1<sup>st</sup> Call and oversaw the

1 application process with the borrower. According to the agreement, 1<sup>st</sup> Call was to secure a \$2  
2 million-dollar loan for the borrower. 1<sup>st</sup> Call acted as if it was performing under the agreement by  
3 going so far as to assign the borrower a “client ID” and ask the borrower to give it limited power of  
4 attorney to prepare and execute documents on their behalf throughout the loan process.

5 5. 1<sup>st</sup> Call and Colter charged the borrower interest, which they represented to be calculated as  
6 1.50% interest on the amount advanced plus one-month LIBOR (the basic rate of interest used in  
7 lending on the London interbank market) rate on all advances made by 1<sup>st</sup> Call. In addition, 1<sup>st</sup> Call  
8 and Colter charged the borrower loan fees, including a \$40.00 transaction fee for each advance, and  
9 charged \$21,000 as a “credit deposit”. 1<sup>st</sup> Call and Colter kept all fees collected for themselves. To  
10 date, the borrower has not received the \$2 million-dollar loan, nor, despite numerous requests, any  
11 money back from 1<sup>st</sup> Call and Colter.

12 6. 1<sup>st</sup> Call and Colter have not been issued a license by the Commissioner authorizing them to  
13 engage in the business of a finance lender and/or broker under the California Financing Law (Fin.  
14 Code, §22000 et seq.), nor are they exempt from the licensing requirements of Financial Code section  
15 22100.

16 By reason of the foregoing, 1<sup>st</sup> Call Consultants, Inc., also known as 1<sup>st</sup> Call Collateral, and  
17 Mark Colter have engaged in the business of a finance lender and/or broker without having first  
18 obtained a license from the Commissioner in violation of Financial Code section 22100. Pursuant to  
19 Financial Code section 22712, 1<sup>st</sup> Call Consultants, Inc., also known as 1<sup>st</sup> Call Collateral, and Mark  
20 Colter are ordered to desist and refrain from engaging in the business of a finance lender and/or  
21 broker in the State of California without first obtaining a license from the Commissioner, or  
22 otherwise being exempt.

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1           This order is necessary, in the public interest, for the protection of California borrowers, and  
2 is consistent with the purposes, policies, and provisions of the California Financing Law.

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4 Dated: August 1, 2019  
5           Sacramento, California

MANUEL P. ALVAREZ  
Commissioner of Business Oversight

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8           By: \_\_\_\_\_  
9           MARY ANN SMITH  
10           Deputy Commissioner  
11           Enforcement Division

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