

1 William M Kidwell, Pro-Per
General Manager
2 Phoenix Title Loans, LLC
6250 E Cheney Drive
3 Paradise Valley, AZ 85253
480-422-3902
4

5 **UNITED STATES OF AMERICA**
6 **BEFORE THE**
7 **CONSUMER FINANCIAL PROTECTION BUREAU**

8 **IN THE MATTER OF:**)
9 **PHOENIX TITLE LOANS, LLC**) **Administrative Proceeding**
) **File No. 2016-CFPB-0020**
10 **Respondent**)
11)
12)
13)

14 **In Response to the Charges Claimed by the CFPB, I wish to respond as**
15 **follows:**

16 As is outlined in the CFPB's complaint, Phoenix Title Loans, LLC did,
17 on their web site fail to list the Annual Percentage Rate or APR along with
18 the Monthly Percentage rate. There is no excuse here. Respondent acknowledges
19 our error in this matter. But that is precisely what it was. An error. No
20 malice, clearly no intent to defraud our customers since the full terms and
21 conditions including APR are provided to the consumer both verbally and in
22 writing prior to their acceptance of any title loan.

23 As a local, Arizona small business trying to compete with national
24 franchises in this market, it would do us little good to not be forthright
25 and honest with our customers or consumers in general. We have worked
26 diligently over the past 3 years to build the brand and wen presence of
27 Phoenix Title Loans. In fact, in writing our web site we frequently reviewed
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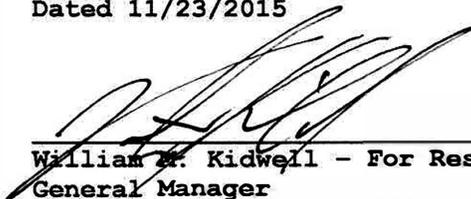
1 the top websites in this field to see what worked and what did not to better
2 our presence online.

3 We are not a big business. We have 10 dedicated, full-time employees
4 that handle Phoenix Title Loans, LLC. Our stores are operated from our pawn
5 shop branches. All local with nine of the ten we own having been active in
6 their same locations for twenty, thirty years and longer.

7 I understand that ignorance is not an excuse, but contrary to what the
8 attorneys for the CFPB would have try to have you believe, there is not now
9 nor has there ever been any attempt to defraud or provide misinformation to
10 our valued customers. No malicious intent. No premeditate, organized plan of
11 attack to bring people in. Just a group of newcomers to the world of internet
12 marketing trying to get the most out of their website. It is that simple.
13 Nothing more and nothing less. It is worth noting that upon receipt of the
14 CFPB'S COMPLAINT, immediate action was taken on the Respondent's part to
15 rectify the issue.

16 Therefore, I plead that this body take in to consideration my response
17 when considering any action against Phoenix Title Loans, LLC. Since
18 corrections to the website were made that a reduced penalty or fines would be
19 more in order and considerable more helpful to a small business trying to
20 stay in business.

21
22
23 Dated 11/23/2015

24 
25 _____
26 William M. Kidwell - For Respondent
27 General Manager
28 Phoenix Title Loans, LLC
6250 E Cheney Drive
Paradise Valley, AZ 85253
(480) 422-3902

Respondent's Response

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I hereby certify that I have served a true and correct copy of the Respondent's Response upon the following parties and entities in this proceeding as indicated in the manner described below:

Via Electronic Mail to Representatives for Consumer Financial Protection Bureau

Rebecca Coleman
Rebecca.Coleman@cfpb.gov

Amanda Krause
Amanda.Krause@cfpb.gov

Lauren Black
Lauren.Black@cfpb.gov

Via Electronic Mail to Phoenix Title Loans, LLC

Alfonso Larriva
Alfonso.larriva@atlascapitalllc.com