

1 revoke, deny, or suspend a license of a licensee and/or assess
2 penalties pursuant to RSA Chapter 399-D. RSA 399-D:13 and RSA 399-
3 D:23.

4 **Facts**

5 5. In 2009, DFS conducted debt adjuster activity for two (2) New
6 Hampshire consumers without a valid Debt Adjuster license issued by
7 the Department. Fees charged and collected by DFS for Consumers A and
8 B total \$999.98.00 as follows:

9 Consumer A: \$499.99; and

10 Consumer B: \$499.99.

11 6. During the request for information, DFS cooperated and provided the
12 information to show it did conduct business in New Hampshire without
13 proper licensure.

14 **Violation(s) of Law and Penalties**

15 7. DFS is a "Person" as defined by RSA 399-D:2,VII.

16 8. DFS may be assessed an administrative fine not to exceed \$2,500.00 for
17 each violation of RSA Chapter 399-D. RSA 399-D:24,IV and V.

18 **Respondent's Consent**

19 9. DFS does not deny the facts, statements, or violations contained
20 herein and DFS hereby agrees to the entry of this Consent Order.

21 10. DFS has voluntarily entered into this Consent Order without reliance
22 upon any discussions between the Department and DFS, without promise
23 of a benefit of any kind (other than concessions contained in this
24 Consent Order), and without threats, force, intimidation, or coercion
25 of any kind. DFS further acknowledges its understanding of the nature

1 of the allegations set forth in this action, including the potential
2 penalties provided by law.

3 11. DFS hereby acknowledges, understands, and agrees that there is the
4 right to notice, hearing, and/or a civil action and hereby waives said
5 rights.

6 **Order**

7 12. **Whereas pursuant to RSA 399-D:13,VI**, this Consent Order is necessary,
8 appropriate and in the public interest and consistent with the intent
9 and purposes of New Hampshire banking laws,
10 the Department Orders as follows:

11 a. DFS shall reimburse Consumers A and B the fees charged as
12 described in Paragraph 5 above, payable contemporaneously with
13 DFS' signing of this Consent Order. Each check should be made
14 out to the specific consumer and submitted to the Department
15 along with current contact information to forward to the
16 consumer;

17 b. DFS shall pay to the Department \$500.00 in investigation costs,
18 payable contemporaneously with DFS' signing of this Consent
19 Order; and

20 c. All checks shall be bank check or guaranteed funds and made
21 payable to "State of New Hampshire", except for those
22 specifically made payable to Consumers A and B.

23 13. This Consent Order may be revoked and the Department may pursue any
24 and all remedies available under law, if the Department later finds
25 that DFS knowingly or willfully withheld information used and relied

1 upon in this Consent Order.

2 14. This Consent Order is binding on all heirs, assigns, and/or successors
3 in interest.

4 15. This Consent Order shall become effective upon the date the
5 Commissioner signs this Consent Order.

6 16. Once this Consent Order is effective, the Department agrees not to
7 seek further reimbursement, refunds, penalties, fines, costs, or fees
8 regarding the facts, allegations, or findings of violations contained
9 herein.

10 **WHEREFORE**, based on the foregoing, we have set our hands to this Consent
11 Order, upon its execution by Ronald A. Wilbur, Bank Commissioner.

12
13 Recommended this 14th day of October, 2011 by

14 _____
/s/

15 Maryam Torben Desfosses, Hearings Examiner, Banking Department

16
17 Executed this 23rd day of October, 2011 by

18 _____
/s/

19 Tammy Gazda, General Manager and Owner of Default Federal Student Loan Help,

20 LLC

21
22 **SO ORDERED.**

23
24 _____
/s/
Ronald A. Wilbur,
Bank Commissioner

Dated: October 28, 2011