

In re: Consumer Debt Concepts, Inc.
(d/b/a Payday Loan Conceptz)
Case No.: 12-352

CONSENT ORDER

The State of New Hampshire Banking Department (the "Department") finds and Orders as follows:

Respondent

1. Consumer Debt Concepts, Inc. (d/b/a for Payday Loan Conceptz) is a corporation duly formed in the State of Florida on February 15, 2008 with a principal office location in Winter Park, Florida. Consumer Debt Concepts, Inc. registered with the New Hampshire Secretary of State on October 26, 2012. Payday Loan Conceptz is a trade name that registered with the New Hampshire Secretary of State on November 30, 2010 and renewed on November 2, 2012.
2. In New Hampshire, neither Consumer Debt Concepts, Inc. nor Payday Loan Conceptz had been previously licensed as Debt Adjusters by the Department. This Consent Order covers Payday Loan Conceptz's ("Conceptz") unlicensed debt adjuster activity and Consumer Debt Concepts, Inc.'s (d/b/a Payday Loan Conceptz) ("Consumer Debt") future debt adjuster activity in New Hampshire. The New Hampshire office location of North

Woodstock, New Hampshire will be the branch office for Consumer Debt. Consumer Debt's principal office location is still in Winter Park, Florida. Consumer Debt's New Hampshire Debt Adjuster license is pending execution of this Consent Order.

Jurisdiction

3. The Department is authorized to regulate debt adjusters pursuant to RSA Chapter 399-D. *RSA 399-D:1* and *RSA 399-D:3*.
4. The Commissioner has jurisdiction to issue orders to cease and desist from violations under RSA Chapter 399-D and to deny a license or assess penalties pursuant to RSA Chapter 399-D. *RSA 399-D:13* and *RSA 399-D:23*.
5. The Department may assess administrative fines not to exceed \$2,500.00 for each violation of RSA Chapter 399-D. *RSA 399-D:24, IV and V*.
6. The Department may require Conceptz to provide restitution as set out in *RSA 399-D:3, III*.

Facts

7. From at least January 3, 2012 through July 2013, Conceptz contracted with 897 consumers nationwide for debt adjuster services and was not properly licensed with the Department. Of the 897 consumers:

- a. 360 consumers did receive a net savings through Conceptz's debt adjustment of their existing payday loan debt (as calculated by subtraction of savings from Conceptz's debt adjustment fees); and
 - b. 206 consumers did not pay any fees because they did not continue with the program; and
 - c. 331 consumers suffered a net loss by paying more for Conceptz's debt adjustment service fees than the total saved in Conceptz's debt adjustment of the consumers' existing payday loan debt (as calculated by subtraction of savings from Conceptz's debt adjustment fees). The fees these 331 consumers paid out more than saved total \$99,450.98.
8. During the request for information, Consumer Debt fully cooperated with the Department and provided the information to show that Conceptz did conduct business in New Hampshire without proper licensure.

Violation(s) of Law and Penalties

9. Conceptz has conducted unlicensed debt adjuster activity while located in New Hampshire for both New Hampshire and out-of-state consumers without a valid Debt Adjuster license, in violation of RSA 399-D:3,I.

Respondent's Consent and Acknowledgments

10. Conceptz hereby acknowledges that were an administrative hearing to be held in this matter, the Department would introduce evidence demonstrating that Conceptz violated RSA Chapter 399-D.
11. Conceptz has voluntarily entered into this Consent Order without reliance upon any discussions between the Department and Conceptz, without promise of a benefit of any kind (other than concessions contained in this Consent Order), and without threats, force, intimidation, or coercion of any kind. Conceptz further acknowledges its understanding of the nature of the allegations set forth in this action, including the potential penalties provided by law.
12. Conceptz hereby acknowledges, understands, and agrees that it has the right to notice and hearing and hereby waives said rights. Conceptz hereby further acknowledges it waives the filing of any civil actions related to this matter.

Order

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

as follows:

a. Conceptz shall reimburse the 331 Consumers described in Paragraph 7.c above the fees charged as set out in Exhibit A herein (which total \$99,450.98) over 17 months as follows:

- The first 20 consumers listed in Exhibit A shall be reimbursed contemporaneously with Conceptz's execution of this Consent Order; and
- Conceptz shall reimburse the remaining 311 consumers (as listed in Exhibit A) in sets of 20 consumers on the 1st of each month for 15 months with the final set of 11 consumers to be reimbursed on the 16th month. Such reimbursements shall begin with the month following the effective date of this Consent Order, which is upon the Commissioner's signature;
- All checks shall be bank checks or guaranteed funds and made payable to each individual consumer and submitted directly to each consumer via first class mail by Conceptz as follows:

(1). Each check shall be accompanied by

written correspondence containing only the following language: "This refund check is being sent to you pursuant to a public consent order that Consumer Debt Concepts, Inc. (d/b/a Payday Loan Conceptz) entered into with the New Hampshire Banking Department. You may find a copy of the public consent order on the Banking Department's website at www.nh.gov/banking/orders/enforcement/index.htm by searching for Docket #12-352. For further questions, please contact the New Hampshire Banking Department at (603) 271-3561;"

(2). Any verbal communications with consumers about the restitution shall be limited to the language found in the written correspondence, and Conceptz shall refer the consumer to the Department for further information;

(3). Conceptz shall also forward to the Department copies of both cancelled checks or copies of both cancelled check images;

(4). Conceptz shall make a second attempt to locate the consumer, if the address to which the restitution check is mailed is no longer

valid. Such attempt shall be documented and reported to the Department;

(5). Conceptz shall follow up at least once with any consumer who does not cash each check within three months of receipt. Such follow up shall be documented and reported to the Department; and

(6). If, after six months, a consumer has failed to cash or deposit the restitution check(s), Conceptz shall begin the process to escheat the funds to the New Hampshire State Treasurer's Abandoned Property division. Such process shall be documented and reported to the Department. The process of escheatment may begin prior to six months, if so approved or directed by the Department; and

b. Conceptz shall pay to the Department \$82,750.00 in administrative fines as follows. All checks shall be bank checks or guaranteed funds and made payable to "State of New Hampshire":

- An initial payment of \$5,000.00, payable contemporaneously with Conceptz's execution of this Consent Order; and
- \$4,573.53 on the 1st of each month for 17

months, beginning with the month following the effective date of this Consent Order, which is upon the Commissioner's signature.

14. The Consent Order finally and completely concludes this matter against Conceptz. This Consent Order may still be revoked and the Department may pursue any and all remedies available under law, if the Department later finds that Conceptz knowingly or willfully withheld information used and relied upon in this Consent Order.
15. This Consent Order is binding on all heirs, assigns, and/or successors in interest.
16. This Consent Order shall become effective upon the date the Commissioner signs this Consent Order, providing the Department has confirmed the payments referenced in Paragraphs 13.a. and 13.b. herein.
17. Once this Consent Order is effective, the Department agrees not to seek further reimbursement, refunds, penalties, fines, costs, or fees regarding the facts, allegations, or findings of violations contained herein.

WHEREFORE, based on the foregoing, we have set our hands to this Consent Order, effective upon its execution by Glenn A. Perlow, Bank Commissioner.

Recommended this 27th day of November, 2013 by

/s/
Maryam Torben Desfosses,
Hearings Examiner, Banking Department

Executed this 31st day of December, 2013 by

/s/
Jason Allen Blood, as Chief Executive Officer and 33.3% Owner of Consumer Debt Concepts, Inc. (d/b/a Payday Loan Conceptz)

Executed this 31st day of December, 2013 by

/s/
Edward John Holden, as Chief Financial Officer and 33.3% Owner of Consumer Debt Concepts, Inc. (d/b/a Payday Loan Conceptz)

Executed this 31st day of December, 2013 by

/s/
Eric Joseph Desormeaux, as Chief Operating Officer and 33.3% Owner of Consumer Debt Concepts, Inc. (d/b/a Payday Loan Conceptz)

SO ORDERED.

/s/
Glenn A. Perlow,
Bank Commissioner

Dated: 01/08/14

EXHIBIT A TO DOCKET #13-352 CONSENT ORDER

CONSUMER #	RESTITUTION AMOUNT
7	\$251.00
8	\$134.40
10	\$334.95
11	\$153.02
18	\$172.50
21	\$160.85
25	\$679.25
27	\$233.00
34	\$6.15
35	\$237.61
37	\$396.00
38	\$196.10
39	\$332.00
40	\$157.53
42	\$392.76
54	\$84.67
56	\$248.00
57	\$836.69
59	\$277.94
61	\$40.00
65	\$639.99
66	\$563.00
67	\$270.94
68	\$131.68
69	\$465.00
79	\$157.00
87	\$43.00
90	\$239.81
91	\$81.00
93	\$424.00
96	\$54.00
98	\$233.00
101	\$45.00
103	\$14.00
104	\$97.00
109	\$181.00
118	\$136.19
121	\$207.50
126	\$274.90
133	\$87.00
136	\$91.00

137	\$458.97
141	\$166.00
145	\$44.86
150	\$438.57
152	\$185.15
155	\$281.00
160	\$161.00
161	\$664.30
169	\$263.08
173	\$143.00
176	\$159.80
182	\$238.52
183	\$49.67
184	\$98.00
185	\$1,400.02
188	\$612.65
190	\$27.53
191	\$802.54
192	\$421.00
194	\$301.00
196	\$395.60
197	\$161.51
200	\$24.65
201	\$411.71
204	\$1,132.30
205	\$617.73
206	\$9.17
209	\$562.50
213	\$378.80
217	\$270.00
219	\$529.27
228	\$527.48
230	\$230.15
232	\$234.61
233	\$864.05
234	\$347.00
235	\$788.04
243	\$407.95
250	\$400.10
256	\$378.70
258	\$1,053.16
259	\$289.15
265	\$418.67
266	\$232.17

268	\$130.69
269	\$840.22
273	\$198.83
274	\$350.23
276	\$22.85
281	\$18.60
284	\$684.04
288	\$220.70
289	\$401.30
290	\$134.29
292	\$409.00
294	\$289.57
298	\$226.70
299	\$164.00
304	\$571.51
307	\$304.00
309	\$38.80
311	\$293.00
313	\$833.79
316	\$84.00
318	\$289.70
319	\$73.15
320	\$216.83
323	\$401.45
326	\$32.88
329	\$45.00
330	\$476.74
334	\$34.03
341	\$102.71
342	\$89.00
345	\$38.05
347	\$272.00
348	\$32.47
350	\$185.00
355	\$31.65
357	\$248.15
359	\$1,270.02
360	\$815.51
361	\$710.40
370	\$101.00
371	\$442.70
372	\$10.30
374	\$60.75
377	\$910.94

378	\$200.80
379	\$150.00
380	\$637.48
383	\$63.00
384	\$1121.08
385	\$17.00
389	\$266.00
391	\$211.90
392	\$68.80
393	\$29.50
394	\$919.13
399	\$368.60
400	\$215.99
408	\$390.44
409	\$525.55
415	\$34.10
416	\$694.61
417	\$257.00
419	\$625.45
422	\$248.04
424	\$18.61
425	\$46.50
427	\$1,512.34
430	\$138.00
434	\$294.77
435	\$166.00
437	\$492.29
438	\$551.58
441	\$346.22
443	\$115.00
445	\$327.23
448	\$427.40
455	\$83.73
456	\$222.00
458	\$244.06
459	\$293.25
460	\$375.78
461	\$25.50
465	\$886.00
466	\$387.00
467	\$528.35
468	\$232.50
469	\$508.84
471	\$263.08

474	\$74.14
479	\$244.00
481	\$148.00
482	\$121.00
484	\$98.00
488	\$479.63
489	\$412.21
490	\$346.55
492	\$782.43
493	\$111.53
494	\$270.00
495	\$264.50
500	\$36.00
508	\$287.63
513	\$289.75
515	\$201.00
517	\$158.25
518	\$204.00
521	\$220.00
524	\$217.74
529	\$130.00
531	\$150.50
535	\$211.06
536	\$141.00
539	\$1,774.00
541	\$566.40
542	\$297.00
548	\$784.79
549	\$227.00
552	\$27.00
556	\$218.85
558	\$323.36
561	\$799.76
565	\$350.62
570	\$301.50
571	\$161.06
572	\$433.00
573	\$114.93
580	\$54.00
588	\$773.00
596	\$860.00
597	\$506.50
600	\$38.00
601	\$486.32

604	\$17.20
612	\$360.00
614	\$107.29
615	\$433.63
620	\$113.00
623	\$245.86
624	\$224.39
626	\$864.27
627	\$555.00
631	\$247.50
632	\$521.00
634	\$280.00
638	\$393.25
639	\$652.50
640	\$129.00
642	\$613.00
646	\$266.05
649	\$260.15
650	\$509.76
652	\$162.82
656	\$89.00
658	\$336.10
659	\$327.50
660	\$161.02
661	\$214.66
662	\$80.55
664	\$71.00
668	\$706.00
670	\$269.00
671	\$110.50
672	\$172.00
673	\$54.00
676	\$517.00
677	\$517.00
681	\$131.00
683	\$813.25
684	\$191.08
685	\$129.90
686	\$211.00
689	\$300.33
691	\$127.50
692	\$399.00
693	\$587.00
696	\$144.50

700	\$268.25
703	\$781.22
704	\$310.25
705	\$299.00
706	\$119.25
707	\$71.79
709	\$500.06
716	\$579.94
719	\$486.00
721	\$464.83
728	\$305.00
733	\$148.50
737	\$161.03
741	\$189.09
742	\$217.00
745	\$175.71
747	\$17.00
752	\$282.75
753	\$156.00
755	\$134.00
758	\$310.00
759	\$196.00
765	\$19.38
771	\$293.00
773	\$206.00
776	\$324.00
779	\$239.38
782	\$80.50
786	\$346.71
788	\$76.00
791	\$284.00
794	\$596.89
796	\$108.71
797	\$279.00
798	\$87.00
800	\$58.63
801	\$146.55
804	\$353.70
808	\$150.53
811	\$315.00
817	\$302.00
818	\$16.00
819	\$114.84
820	\$301.50

821	\$157.00
830	\$262.00
832	\$190.00
833	\$260.00
834	\$84.00
840	\$267.00
843	\$81.40
848	\$5.80
854	\$203.00
856	\$28.00
857	\$138.00
859	\$56.00
861	\$20.00
862	\$320.00
864	\$130.06
865	\$389.77
871	\$18.44
873	\$87.00
874	\$31.00
876	\$269.00
878	\$290.00
882	\$203.00
883	\$460.00
886	\$131.86
891	\$203.00
896	\$3.48