

In re: Zendora International a/k/a Lenders International
(d/b/a AdvanceMeToday.com)

Case No.: 12-502

NOTICE OF ORDER TO CEASE AND DESIST ("ORDER")

1. This Order commences an adjudicative proceeding under the provisions of RSA Chapter 399-A (including RSA 399-A:7,I and II, RSA 399-A:8,I and RSA 399-A:16,IV) and RSA Chapter 541-A.
2. The Commissioner may impose administrative penalties not to exceed \$2,500.00 for each violation of RSA Chapter 399-A. *RSA 399-A:18,V and VI.*
3. The Commissioner may impose restitution for each New Hampshire consumer who borrowed monies from Respondent. *RSA 399-A:2,IV and RSA 399-A:16,IV and VI.*

RESPONDENT

4. Zendora International a/k/a Lenders International (d/b/a AdvanceMeToday.com) ("Respondent") is an online payday loan company with principal office locations in Kingstown, Saint Vincent and the Grenadines and possibly in San Jose, Costa Rica. Respondent is not registered with the New Hampshire Secretary of State. New Hampshire Banking Department ("Department") records indicate Respondent has never held a Payday or

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Small Loan Lender license with the Department. Respondent is a "Person" as defined under RSA 399-A:1,XII, a "Lender" as defined under RSA 399-A:1,VIII, a "Payday Loan Lender" as defined under RSA 399-A:1,XI and a "Small Loan Lender" as defined under RSA 399-A:1,XV.

RIGHT TO REQUEST A HEARING

5. Respondent has a right to request a hearing on this Order. A hearing shall be held not later than ten (10) days after the Commissioner receives Respondent's written request for a hearing. Respondent may request a hearing and waive the ten (10) day hearing requirement. The hearing shall comply with RSA Chapter 541-A, RSA 399-A:7, RSA 399-A:8, and Administrative Rule JUS Chapter 800.
6. If any person fails to request a hearing within thirty (30) days of receiving this Order, then such person shall be deemed in default, and the Order shall, on the thirty-first (31st) day, become permanent, all allegations may be deemed true, and shall remain in full force and effect until modified or vacated by the Commissioner for good cause shown. *RSA 399-A:7 and RSA 399-A:8.*
7. A default may result in administrative fines and

restitution as described in Paragraphs 2 and 3 above.

STATEMENT OF ALLEGATIONS

CONSUMER A:

8. On January 14, 2013, the Department received a tip from a New Hampshire consumer ("Consumer A") against Respondent, concerning several payday or small loans Consumer A obtained from Respondent.
9. Respondent is not licensed by the Department as a New Hampshire Payday or Small Loan Lender.
10. On December 30, 2011, Respondent issued Consumer A a payday or small loan in the amount of \$500.00 ("Loan #1), in violation of RSA 399-A:2,I.
 - a. On February 17, 2012, Consumer A paid Respondent \$650.00 to pay off Loan #1 loan in full.
11. On March 28, 2012, Respondent issued Consumer A a payday or small loan in the amount of \$500.00 (Loan #2), in violation of RSA 399-A:2,I.
 - a. On April 13, 2012, Consumer A paid Respondent \$120.00, which represented an interest-only payment for Loan #2.
 - b. On April 27, 2012, Consumer A paid Respondent \$120.00, which represented an interest-only payment for Loan #2.
 - c. On May 11, 2012, Consumer A paid Respondent

\$620.00 to pay off Loan #2 in full.

12. On May 24, 2012, Respondent issued Consumer A a payday or small loan in the amount of \$500.00 (Loan #3), in violation of RSA 399-A:2,I.
 - a. On June 8, 2012, Consumer A paid Respondent \$120.00, which represented an interest-only payment for Loan #3.
 - b. Consumer A made no further payments.
13. On August 13, 2012, Respondent issued Consumer A a payday or small loan in the amount of \$1,000.00 (Loan #4), in violation of RSA 399-A:2,I.
 - a. Consumer A made no payments on this loan.

CONSUMER B:

14. On June 6, 2013, the Department received a consumer complaint from a New Hampshire consumer ("Consumer B") against Respondent, concerning a payday or small loan Consumer B obtained from Respondent.
15. In December of 2012, Respondent issued Consumer B a payday or small loan in the amount of \$400.00 in violation of RSA 399-A:2,I.
 - a. On January 25, 2013, Consumer B paid Respondent \$120.00 from Consumer B's bank account.
 - b. On February 8, 2013, Consumer B paid Respondent \$120.00 from Consumer B's bank account.

- c. On February 22, 2013, Consumer B paid Respondent \$120.00 from Consumer B's bank account.
- d. On March 19, 2013, Consumer B paid Respondent \$10.00 via a pre-paid card.
- e. On April 12, 2013, Consumer B paid Respondent \$100.00 via a pre-paid card.
- f. On April 20, 2013, Consumer B paid Respondent \$75.00 via a pre-paid card.
- g. On May 6, 2013, Consumer B paid Respondent \$130.00 via a pre-paid card.

Failure to Respond:

- 16. On January 25, 2013, the Department telephoned Respondent at a telephone number discovered through its investigation but was unable to successfully contact the Respondent. As a result, two subpoenas duces tecum were issued on April 1, 2013, one to the Respondent at the San Jose, Costa Rica address and one to the website servicer.
- 17. On April 15, 2013, the Department received ownership and contact information for Respondent from the website servicer, which confirmed the address to be in San Jose, Costa Rica.
- 18. The Department did not receive a return receipt for the subpoena duces tecum issued to Respondent at the

ORDER

22. I hereby find as follows:

- a. Pursuant to RSA 399-A:2 and RSA 399-A:2,I, the facts as alleged above, if true, show Respondent is operating or has operated without a license in violation of RSA Chapter 399-A and form the legal basis for this Order;
- b. Pursuant to 399-A:16,VI, this Order is necessary and appropriate to the public interest and for the protection of consumers and consistent with the purpose and intent of New Hampshire banking laws;
- c. The Department finds pursuant to RSA 399-A:8,I, reasonable cause to issue an order to cease and desist; and
- d. Pursuant to RSA 399-A:8,I, if Respondent fails to respond to this Order and/or defaults then all facts as alleged herein may be deemed as true.

23. Accordingly, it is hereby ORDERED that:

- a. Respondent shall cease and desist from violating RSA Chapter 399-A and rules or orders thereunder;
- b. Respondent shall immediately provide the Department a list of all New Hampshire consumers for whom Respondent has given payday or small

loans and a status of those accounts. This list must include the names and contact information of the New Hampshire consumers, along with monies charged, collected and/or waived (if applicable). The list shall also be accompanied by all contracts, checks to and from the consumer and any other documents in the New Hampshire consumers' files;

- c. Pursuant to RSA 399-A:2,IV, Respondent shall be hereby ordered to rescind, provide restitution or disgorge profits, including but not limited to:
 - (1). \$510.00 for Consumer A for Loans #1 and #2;
 - (2). Any additional profits to Consumer A for Loans #3 and #4; and
 - (2). \$220.00 for Consumer B;
- d. Respondent shall hereby be administratively fined a maximum of \$2,500.00 per violation pursuant to RSA 399-A:18,V and VI as follows:
 - (1). Unlicensed payday or small loan activity per Consumer (RSA 399-A:2,I) - 2 Violations;
 - (2). Failure to respond (RSA 399-A:10,II) - 1 Violation; and
- e. Nothing in this Order:
 - (1). shall prevent the Department from taking any

