

# STATE OF NEW HAMPSHIRE BANKING DEPARTMENT

IN THE MATTER OF:

Financial Resources and Assistance  
of the Lakes Region

)  
) ORDER TO SHOW CAUSE  
) Docket No. 04-044  
)  
)

## NOTICE OF ORDER

This Order commences an adjudicative proceeding under the provisions of RSA 541A:31 and BAN 204.03.

## LEGAL AUTHORITY AND JURISDICTION

RSA 397-A:17 states in part that the New Hampshire Banking Department's (hereinafter referred to as the "Department") Bank Commissioner may issue an order requiring a licensee to show cause why their license should not be revoked. The commissioner may assess penalties, deny, suspend or revoke a license if a licensee has violated any provision of this chapter or rules thereunder. Pursuant to RSA 397-A:21, the Bank Commissioner may also assess up to \$2,500 dollars in administrative penalties for each violation.

Pursuant to RSA 397-A:13, II, all First Mortgage Bankers & Brokers are required to submit a financial statement to the Department within 90 days from the date of its fiscal year end. RSA 397-A:13, IV authorizes the Department to fine licensees \$25 per day for each day the financial statement is late.

RSA 398-A:1-b, I, (a) states in part that the Bank Commissioner may, by order, deny, suspend or revoke a license for violations of this chapter or any rule or order thereunder.

Exhibit to:

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Paragraph 7

Furthermore, BAN 204.03 states that the commissioner or his designee shall initiate an adjudicative proceeding against a licensee for failure to pay fees or fines within 60 days of the licensee receiving an invoice of the fees or fines.

### **NOTICE OF RIGHT TO REQUEST A HEARING**

The above named respondent has the right to request a hearing on this Order to Show Cause, as well as the right to be represented by counsel. Any such request for a hearing shall be in writing, and signed by the respondent or by the duly authorized agent of the above named respondent, and shall be delivered either by hand or certified mail, return receipt requested, to the Banking Department, State of New Hampshire, 64B Old Suncook Road, Concord, NH 03301.

If respondent fails to request a hearing or respond to the show cause order within 30 calendar days of receipt of this order, respondent shall be deemed in default, and the penalties requested herein shall be imposed.

### **STATEMENT OF ALLEGATIONS**

The allegations contained in the Staff Petition for Relief dated September 28, 2004 (a copy of which is attached hereto) are incorporated by reference hereto.

### **ORDER**

WHEREAS, finding it necessary and appropriate and in the public interest, and consistent with the intent and purposes of the New Hampshire Banking Laws, and

WHEREAS, finding that the allegations contained in the Staff Petition, if proved true and correct, form the legal basis of the relief requested,

It is hereby ORDERED, that:

1. Respondent show cause why the late filing of Financial Statement fines should not be paid in full; and

Exhibit to:

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Paragraph A

2. Respondent show cause why administrative penalties in the amount of \$2,500 dollars should not be imposed; and
3. Respondent show cause why their license should not be revoked for violating New Hampshire law; and
4. Failure to request a hearing within 30 days of the date of receipt of this Order shall result in a default judgment being rendered and administrative penalties being imposed upon the defaulting Respondent.

SIGNED,

Dated: \_\_\_\_\_

\_\_\_\_\_  
PETER C. HILDRETH  
BANK COMMISSIONER

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing ORDER TO SHOW CAUSE, Docket No. 04-044, has been sent via certified mail on September \_\_\_\_\_ 2004 to: Mr. Scott Farah, President, Financial Resources and Assistance of the Lakes Region, Inc., 15 Northview Drive, Meredith, NH 03253

\_\_\_\_\_  
Andrea J. Boudreau  
Staff Attorney

\_\_\_\_\_  
Date

Exhibit to:

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Paragraph 8