

) Case No.: 10-044

1 In re the Matter of: )  
 )  
 2 State of New Hampshire Banking )  
 )  
 3 Department, )  
 )  
 4                   Petitioner, ) Request for Finding of Violation of  
 ) March 28, 2011 Consent Order  
 5                   and )  
 )  
 6 MJ Imports, and Majid Mardanbeigy, )  
 )  
 7                   Respondents )

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REQUEST FOR FINDING OF VIOLATION OF MARCH 28, 2011 CONSENT ORDER

("REQUEST FOR FINDING")

10 1. On March 28, 2011, the New Hampshire Banking Department ("Department")  
 11 entered into a Consent Order with Respondent MJ Imports, and Majid  
 12 Mardanbeigy ("Respondents").

13 2. Pursuant to the Consent Order, Respondents were ordered to "pay to the  
 14 five consumers (A through E) the following amounts, which shall represent  
 15 the difference between the wholesale market value of the motor vehicle and  
 16 the Consumer's purchase price pursuant to RSA 361-A:11,III:

- 17           (1) Consumer A: \$665.00
- 18           (2) Consumer B: \$1,360.00
- 19           (3) Consumer C: \$260.00
- 20           (4) Consumer D: \$350.00
- 21           (5) Consumer E: \$950.00"

22 3. Respondent Majid Mardanbeigy signed the Consent Order on March 22,  
 23 2011 on behalf of himself and MJ Imports. The Department's Deputy  
 24 Commissioner signed the Consent Order on March 28, 2011.

25 4. The Department sent Respondents a certified letter dated March 28,

1 2011 that stated in part that the Department would allow Respondent MJ  
2 Imports a one month time frame from the effective date of the Consent Order  
3 to refund consumers.

4 5. On May 2, 2011, Respondents sent a check in the amount of \$260 payable  
5 to the State of New Hampshire on behalf of Consumer C.

6 6. On June 1, 2011, Respondents sent a check in the amount of \$350  
7 payable to the State of New Hampshire on behalf of Consumer D.

8 7. On September 14, 2011, the Department called and spoke with Respondent  
9 Majid Mardanbeigy and ascertained that the checks were intended to be  
10 payable to the consumers and not the State of New Hampshire. Respondent  
11 Majid Mardanbeigy explained that the other three restitution checks were not  
12 yet sent, because the Respondents did not have enough money to cover them.

13 8. Respondents are unable to fulfill their requirements of consumer  
14 restitution under the March 28, 2011 Consent Order.

15 9. The Department is unable to return the checks that Respondents sent to  
16 the Department until a finding is made.

17 10. The Commissioner may issue, amend, or rescind such orders as are  
18 reasonably necessary to comply with the provisions of RSA Chapter 397-A. RSA  
19 397-A:20, IV.

20 **REQUEST FOR FINDING**

21 11. I hereby request a finding be made that Respondents have violated the  
22 March 28, 2011 Consent Order.

23 **SO MOVED.**

24 \_\_\_\_\_/s/  
Maryam Torben Desfosses  
25 Hearings Examiner

Dated: 10/24/11