

State of New Hampshire

State of New Hampshire
Banking Department

Docket # 10-337

v.

Consumer Debt Council (d/b/a Legal
Helpers Debt Resolution, LLC, d/b/a
Legal Helpers, P.C. and Macey Aleman
Hyslip & Searns), Thomas George
Macey, Jeffrey Aleman, Jeffrey Hyslip,
and Jason Searns,

Order to Show Cause
and Cease and Desist

Respondents

Notice of Order to Show Cause and Cease and Desist (“Order”)

1. This Order commences an adjudicative proceeding under the provisions of RSA Chapter 399-D (including RSA 399-D:13, I, RSA 399-D:23, I and II and RSA 399-D:25, IV) and RSA Chapter 541-A.
2. The Commissioner may impose administrative fines up to a maximum of \$2,500.00 for each violation. RSA 399-D:24, IV and V.

Respondents

3. Consumer Debt Council (d/b/a Legal Helpers Debt Resolution, LLC, d/b/a Legal Helpers, P.C. and Macey Aleman Hyslip & Searns) (“Respondent Legal Helpers”) is a corporation duly incorporated in the State of Nevada on April 29, 2009 with a principal office location of 233 South Wacker Drive Suite 5150, Chicago, Illinois 60606. The legalhelpersdr.com website shows locations in many states, including an additional office address of 163 Water Street, PO Box 616, Exeter, NH 03833. Respondent Legal Helpers is a “Person.” RSA 399-D:1, VII.

4. The New Hampshire Banking Department's ("Department") records indicate that Respondent Legal Helpers has never held a New Hampshire Debt Adjuster license.
5. Thomas George Macey ("Respondent Macey") is an attorney admitted to practice law in the State of Illinois on November 4, 1993 and a Partner of Respondent Legal Helpers with a principal office location of 233 South Wacker Drive Suite 5150, Chicago, Illinois 60606. Respondent Macey is a Control person (RSA 399-D:2, II-a), a Direct Owner (RSA 399-D:2, V-b), a Principal (RSA 399-D:2, VII-a) and a Person (RSA 399-D:2, VII).
6. The Department's records indicate that Respondent Macey has never held a New Hampshire Debt Adjuster license.
7. Jeffrey Aleman ("Respondent Aleman") is an attorney admitted to practice law in the State of Illinois on April 22, 1997 and a Partner of Respondent Legal Helpers with a principal office location of 233 South Wacker Drive Suite 5150, Chicago, Illinois 60606. Respondent Aleman is a Control person (RSA 399-D:2, II-a), a Direct Owner (RSA 399-D:2, V-b), a Principal (RSA 399-D:2, VII-a) and a Person (RSA 399-D:2, VII).
8. The Department's records indicate that Respondent Aleman has never held a New Hampshire Debt Adjuster license.
9. Jeffrey Hyslip ("Respondent Hyslip") is an attorney admitted to practice law in the State of Ohio on November 7, 2005 and a Managing Partner of Respondent Legal Helpers with a principal office location of 233 South Wacker Drive Suite 5150, Chicago, Illinois 60606. Respondent Hyslip is a Control person (RSA 399-D:2, II-a), a Direct Owner (RSA 399-D:2, V-b), a Principal (RSA 399-D:2, VII-a) and a Person (RSA 399-D:2, VII).

10. The Department's records indicate that Respondent Hyslip has never held a New Hampshire Debt Adjuster license.
11. Jason Searns ("Respondent Searns") is an attorney admitted to practice law in the State of Colorado on March 1, 1978 and the Senior Partner and General Counsel of Respondent Legal Helpers with a principal office location of 303 East 17th Avenue Suite 340, Denver, CO 80203 and an additional address of 233 South Wacker Dr. Suite 4900, Chicago, IL 60606. Respondent Searns is a Control person (RSA 399-D:2, II-a), a Direct Owner (RSA 399-D:2, V-b), a Principal (RSA 399-D:2, VII-a) and a Person (RSA 399-D:2, VII).
12. The Department's records indicate that Respondent Searns has never held a New Hampshire Debt Adjuster license.
13. The above-named Respondents are hereinafter collectively known as "Respondents."

Right to a Hearing

14. Respondents have the right to request a hearing of this Order. A hearing shall be held not later than ten (10) days after the Commissioner receives the Respondents' written request for a hearing. Respondents may request a hearing and waive the ten (10) day hearing requirement. The hearing shall comply with RSA Chapter 541-A, RSA 399-D:13, I and RSA 399-D:23, I and II.
15. If any person fails to request a hearing within thirty (30) days of receiving this Order, then such person shall likewise be deemed in default, all allegations may be deemed true, and the Order shall, on the thirty-first (31st) day, become permanent and shall remain in full force and effect until modified or vacated by the Commissioner for good cause shown. RSA 399-D:13, I and RSA 399-D:23, I and II.
16. A default may result in administrative fines as described in Paragraph 2 above.

Statement of Allegations

17. On September 24, 2010, the Department received information that Respondents had mailed an advertisement offering to provide debt management advice and create a debt management plan (“Advertisement”) to a New Hampshire consumer (“Consumer A”) without a New Hampshire Debt Adjuster license in violation of RSA 399-D:3, I.
18. On December 22, 2010, the Department confirmed that the Washington, DC address used by Respondents in the Advertisement (21 M St., NW #170, Washington, DC 20037) was the address for a UPS Store. The manager of the UPS Store confirmed the address and explained that they had no mailbox tenant named “Consumer Debt Council.”
19. Respondents used the name “Consumer Debt Council” located at 21 M St., NW #170, Washington, DC 20037 in the Advertisement, in violation of RSA 399-D:13-a, I (b) and (c).
20. On December 22, 2010, the Department contacted Respondents by telephone using the telephone number listed on the Advertisement. Respondents’ operator identified the company as “Legal Helpers Debt Resolution.” When questioned about Consumer Debt Council located at 2100 M St., NW # 170, Washington, DC 20037, Respondents’ operator explained that Respondents’ marketing department had mailed solicitations using the name Consumer Debt Council at the Washington, DC address.
21. Respondents operate a website located at “legalhelpersdr.com,” which offers debt adjustment services to New Hampshire consumers.
22. On January 11, 2011, the Department sent a letter via U.S. First Class Mail to Respondents requesting an application for licensure, current contact information and a list of Respondents’ New Hampshire customers.

23. To date, Respondents have failed to respond to the Department's correspondence, in violation of RSA 399-D:22, VIII.

24. On March 2, 2011, the Illinois Attorney General's Office filed suit against Respondents, alleging that Respondents' law firm served as a front to avoid Illinois' ban on the collection of advance fees for debt resolution services.

Alleged Violations:

Respondent Legal Helpers:

1 Count for unlicensed Debt Adjuster activity

RSA 399-D:3, I

1 Count for making an untrue statement of a material fact in connection with the solicitation of a debt adjustment service

RSA 399-D:13-a, I (b)

1 Count for engaging in a practice which operates as a deceit upon consumers

RSA 399-D:13-a, I (c)

1 Count for failure to produce requested documents

RSA 399-D:22, VIII.

Respondent Macey (*as a Control person, Direct Owner and Principal*):

1 Count for unlicensed Debt Adjuster activity

RSA 399-D:3, I

1 Count for making an untrue statement of a material fact in connection with the solicitation of a debt adjustment service

RSA 399-D:13-a, I (b)

1 Count for engaging in a practice which operates as a deceit upon consumers

RSA 399-D:13-a, I (c)

1 Count for failure to produce requested documents

RSA 399-D:22, VIII

Respondent Aleman (*as a Control person,
Direct Owner and Principal*):

1 Count for unlicensed Debt Adjuster
activity

RSA 399-D:3, I

1 Count for making an untrue statement
of a material fact in connection with the
solicitation of a debt adjustment service

RSA 399-D:13-a, I (b)

1 Count for engaging in a practice which
operates as a deceit upon consumers

RSA 399-D:13-a, I (c)

1 Count for failure to produce requested
documents

RSA 399-D:22, VIII

Respondent Hyslip (*as a Control person,
Direct Owner and Principal*):

1 Count for unlicensed Debt Adjuster
activity

RSA 399-D:3, I

1 Count for making an untrue statement
of a material fact in connection with the
solicitation of a debt adjustment service

RSA 399-D:13-a, I (b)

1 Count for engaging in a practice which
operates as a deceit upon consumers

RSA 399-D:13-a, I (c)

1 Count for failure to produce requested
documents

RSA 399-D:22, VIII

Respondent Searns (*as a Control person,
Direct Owner and Principal*):

1 Count for unlicensed Debt Adjuster
activity

RSA 399-D:3, I

1 Count for making an untrue statement
of a material fact in connection with the
solicitation of a debt adjustment service

RSA 399-D:13-a, I (b)

1 Count for engaging in a practice which
operates as a deceit upon consumers

RSA 399-D:13-a, I (c)

1 Count for failure to produce requested documents

RSA 399-D:22, VIII

Respectfully Submitted:

/s/
Raef J. Granger
Hearings Examiner
N.H. Banking Department

04/14/11
Date

Order

25. Whereas the Commissioner finds as follows:

- a. Pursuant to RSA 399-D:13, I, the facts as alleged above, if true, show Respondent is operating or has operated in violation of RSA Chapter 399-D and form the legal basis for this Order;
- b. Pursuant to RSA 399-D:25, VI, this Order is necessary and appropriate to the public interest and for the protection of consumers and consistent with the intent and purpose of New Hampshire banking laws;
- c. Pursuant to RSA 399-D:23, II, reasonable cause exists to issue an order to cease and desist; and
- d. If Respondents fail to respond to this Order and/or default then all facts as alleged herein are deemed as true.

26. Accordingly, it is hereby ORDERED that:

- a. Respondents shall immediately cease and desist from violating RSA Chapter 399-D and rules or orders thereunder;
- b. Respondents shall within fourteen (14) days of the date of this Order provide to the Department a list of all New Hampshire consumers for whom Respondents have conducted or contracted to conduct debt adjustment

