

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 11-084
))
3 State of New Hampshire Banking Department,)
))
4 Petitioner,)
))
5 and) Consent Order (for Respondent
) Garbowit and Respondent Brooke
6 Procorp Debt Solutions, LLC, Kevin) only)
))
7 Garbowit, Peter Brooke, Thomas McDonald,)
))
8 and Reliable Response Marketing, LLC,)
))
9 Respondents)
))

10 CONSENT ORDER

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

13 **Respondents**

- 14 1. Procorp Debt Solutions, LLC is a limited liability company duly
15 incorporated in the State of Florida on February 13, 2008, with its
16 principal office location in Deerfield Beach, Florida.
- 17 2. Kevin Garbowit ("Garbowit") is listed in the Florida Secretary of
18 State filings as a Managing Member of Procorp Debt Solutions, LLC from
19 February 13, 2008 until April 23, 2010.
- 20 3. Peter Brooke ("Brooke") is listed in the Florida Secretary of State
21 filings as a Managing Member of Procorp Debt Solutions, LLC from
22 February 13, 2008 until April 23, 2010.
- 23 4. Garbowit and Brooke are hereby collectively known as "Respondents".
- 24 5. Procorp Debt Solutions, LLC did not previously have a New Hampshire
25 Debt Adjusters license. This consent order covers Respondents'

1 unlicensed debt adjuster activity from February 13, 2008 through April
2 23, 2010, when they ceased their management of Procorp Debt Solutions,
3 LLC.

4 6. Procorp Debt Solutions, LLC was not a licensed New Hampshire Debt
5 Adjuster when conducting the activities that are the subject of this
6 Consent Order.

7 **Jurisdiction**

8 7. The Department is authorized to regulate debt adjusters pursuant to
9 RSA Chapter 399-D. RSA 399-D:1 and RSA 399-D:3.

10 8. The Commissioner has jurisdiction to issue orders to show cause and to
11 cease and desist from violations under RSA Chapter 399-D and to
12 revoke, deny, or suspend a license of a licensee and/or assess
13 penalties pursuant to RSA Chapter 399-D. RSA 399-D:13 and RSA 399-
14 D:23.

15 **Facts**

16 9. From February 17, 2010 to April 23, 2010, Respondents had conducted
17 debt adjuster activity for a New Hampshire consumer through Procorp
18 Debt Solutions, LLC without a valid New Hampshire Debt Adjuster
19 license issued by the Department.

20 10. Fees charged and collected by Respondents only during their ownership
21 of Procorp Debt Solutions, LLC for New Hampshire Consumer A totaled
22 \$444.60.

23 **Violation(s) of Law and Penalties**

24 11. Respondents are "Persons" as defined by RSA 399-D:2,VII.

25 12. Respondents may be assessed an administrative fine not to exceed

1 administrative penalties, payable contemporaneously with
2 Respondents signing of this Consent Order; and

3 c. All checks shall be bank check or guaranteed funds and made
4 payable to "State of New Hampshire", except for the check made
5 out to Consumer A.

6 17. Respondents agree to not advertise for, solicit or contract with New
7 Hampshire consumers for debt adjustment services without obtaining a
8 valid New Hampshire Debt Adjuster license from the Department.

9 18. This Consent Order may be revoked and the Department may pursue any
10 and all remedies available under law, if the Department later finds
11 that Respondents knowingly or willfully withheld information used and
12 relied upon in this Consent Order.

13 19. This Consent Order is binding on all heirs, assigns, and/or successors
14 in interest.

15 20. This Consent Order shall become effective upon the date the
16 Commissioner signs this Consent Order.

17 21. Once this Consent Order is effective, the Department agrees not to
18 seek further reimbursement, refunds, penalties, fines, costs, or fees
19 regarding the facts, allegations, or findings of violations contained
20 herein.

21 **WHEREFORE**, based on the foregoing, we have set our hands to this Consent
22 Order, upon its execution by Ronald A. Wilbur, Bank Commissioner.

23
24 Recommended this 1st day of November, 2011 by

25 _____
/s/
Ryan McFarland, Hearings Examiner, Banking Department

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Executed this 28th day of November, 2011 by

/s/
Kevin Garbowit

Executed this 28th day of November, 2011 by

/s/
Peter Brooke

SO ORDERED.

/s/
Ronald A. Wilbur
Bank Commissioner

Dated: 12/13/11