

In re: Financial Help Services, Inc.
(d/b/a www.myfhs.org)
Case No.: 13-347

CONSENT ORDER

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

Respondent

1. Financial Help Services, Inc. (d/b/a www.myfhs.org) ("FHSI") is a corporation duly formed in the State of Arkansas on December 18, 1990 with a principal office location in Hollywood, Florida. FHSI registered with the Florida Secretary of State on November 2, 2012. FHSI has not filed with the New Hampshire Secretary of State.
2. In New Hampshire, FHSI has not been previously licensed by the Department as a Debt Adjuster. This Consent Order covers FHSI's unlicensed debt adjuster activity in New Hampshire.

Jurisdiction

3. The Department is authorized to regulate debt adjusters pursuant to RSA Chapter 399-D. *RSA 399-D:1* and *RSA 399-D:3*.
4. The Commissioner has jurisdiction to issue orders to cease and desist from violations under RSA Chapter

399-D and to deny a license or assess penalties pursuant to RSA Chapter 399-D. RSA 399-D:13 and RSA 399-D:23.

5. The Department may assess administrative fines not to exceed \$2,500.00 for each violation of RSA Chapter 399-D. RSA 399-D:24,IV and V.
6. The Department may require FHSI to provide restitution as set out in RSA 399-D:3,III.

Facts

7. From at least July 31, 2013, FHSI contracted with 23 New Hampshire consumers to provide debt adjuster services while not properly licensed with the Department. 22 of the 23 New Hampshire consumers require refunds, which total \$3,436.00 as follows:

Consumer 1:\$170.00	Consumer 9:\$226.00	Consumer 18:\$56.50
Consumer 2:\$84.00	Consumer 11:\$120.00	Consumer 19:\$277.50
Consumer 3:\$285.00	Consumer 12:\$90.00	Consumer 20:\$260.00
Consumer 4:\$226.00	Consumer 13:\$113.00	Consumer 21:\$113.00
Consumer 5:\$167.50	Consumer 14:\$147.00	Consumer 22:\$75.00
Consumer 6:\$167.50	Consumer 15:\$126.00	Consumer 23:\$45.00
Consumer 7:\$111.00	Consumer 16:\$226.00	
Consumer 8:\$112.50	Consumer 17:\$237.50	

8. During the request for information, FHSI fully cooperated with the Department and provided the information to show that FHSI did conduct business in New Hampshire without proper licensure.

Violation(s) of Law and Penalties

9. FHSI has conducted unlicensed debt adjuster activity for New Hampshire consumers without a valid Debt Adjuster license, in violation of RSA 399-D:3,I.

Respondent's Consent and Acknowledgments

10. FHSI hereby acknowledges that were an administrative hearing to be held in this matter, the Department would introduce evidence demonstrating that FHSI violated RSA Chapter 399-D.
11. FHSI has voluntarily entered into this Consent Order without reliance upon any discussions between the Department and FHSI, without promise of a benefit of any kind (other than concessions contained in this Consent Order), and without threats, force, intimidation, or coercion of any kind. FHSI further acknowledges its understanding of the nature of the allegations set forth in this action, including the potential penalties provided by law.
12. FHSI hereby acknowledges, understands, and agrees that it has the right to notice and hearing hereby waives

said rights. FHSI hereby further acknowledges it waives the filing of any civil actions related to this matter.

Order

13. **Whereas pursuant to RSA 399-D:13,VI,** this Consent Order is necessary, appropriate and in the public interest and consistent with the intent and purposes of New Hampshire banking laws, the Department Orders as follows:

a. Pursuant to RSA 399-D:23,I and II, FHSI shall cease and desist from conducting unlicensed debt adjuster activity and from violating RSA Chapter 399-D; and

b. FHSI shall reimburse the 22 New Hampshire Consumers the fees charged as described in Paragraph 7 above, which shall be payable contemporaneously with FHSI's execution of this Consent Order. All checks shall be bank checks or guaranteed funds and made payable to each individual consumer and submitted directly to each consumer via first class mail by FHSI as follows:

(1). Each check shall be accompanied by written correspondence containing only the

following language: "This refund check is being sent to you pursuant to a public consent order that Financial Help Services, Inc. (d/b/a www.myfhs.org) entered into with the New Hampshire Banking Department. You may find a copy of the public consent order on the Banking Department's website at www.nh.gov/banking/orders/enforcement/index.htm by searching for Docket #13-347. For further questions, please contact the New Hampshire Banking Department at (603) 271-3561;"

(2). Any verbal communications with consumers about the restitution shall be limited to the language found in the written correspondence, and FHSI shall refer the consumer to the Department for further information;

(3). FHSI shall also forward to the Department copies of both cancelled checks or copies of both cancelled check images;

(4). FHSI shall make a second attempt to locate the consumer, if the address to which the restitution check is mailed is no longer valid. Such attempt shall be documented and

reported to the Department;

(5). FHSI shall follow up at least once with any consumer who does not cash each check within three months of receipt. Such follow up shall be documented and reported to the Department; and

(6). If, after six months, a consumer has failed to cash or deposit the restitution check(s), FHSI shall begin the process to escheat the funds to the New Hampshire State Treasurer's Abandoned Property division. Such process shall be documented and reported to the Department. The process of escheatment may begin prior to six months, if so approved or directed by the Department; and

c. FHSI shall pay to the Department \$5,000.00 in administrative fines, which shall be payable contemporaneously with FHSI's execution of this Consent Order. The check shall be bank check or guaranteed funds and made payable to "State of New Hampshire."

14. The Consent Order finally and completely concludes this matter against FHSI. This Consent Order may still be revoked and the Department may pursue any and all

Executed this 28 day of May, 2014 by

/s/
Mr. Bobby Blackmon, as President of Financial Help Services, Inc. (d/b/a www.myfhs.org)

Executed this 28 day of May, 2014 by

/s/
Mr. Nicholas Mari, as Director of Financial Help Services, Inc. (d/b/a www.myfhs.org)

Executed this 28 day of May, 2014 by

/s/
Mr. Rick Reich, as Director of Financial Help Services, Inc. (d/b/a www.myfhs.org)

Executed this 28 day of May, 2014 by

/s/
Mr. Chris Likam, as Director of Financial Help Services, Inc. (d/b/a www.myfhs.org)

SO ORDERED.

/s/
Ingrid E. White
Deputy Commissioner o/b/o
Glenn A. Perlow,
Bank Commissioner

Dated: 06/06/14