

**STATE OF NEW HAMPSHIRE  
BANKING DEPARTMENT**

In The Matter of: J.J. Best & Company  
(d/b/a J.J. Best & Company Corp. and d/b/a J.J. Best Banc & Co.)  
Case No. 15-192

**CONSENT ORDER**

**WHEREAS**, pursuant to RSA 361-A, the New Hampshire Banking Department (“Department”) is charged with regulating persons that “engage in the business of a sales finance company” in New Hampshire.

**WHEREAS**, pursuant to RSA 361-A:6-a, the Department is authorized to examine the business affairs of any licensee or non-licensee sales finance company to determine compliance with the RSA 361-A.

**WHEREAS**, J.J. Best & Company (d/b/a J.J. Best & Company Corp. and d/b/a J.J. Best Banc & Co.) (“J.J. Best”) is a Delaware corporation registered with the New Hampshire Secretary of State, and a Department-licensed Sales Finance Company.

**WHEREAS**, pursuant to its authority under RSA 361-A:6-a, I, II and III, the Department, through the Consumer Credit Division, conducted an examination of J.J. Best.

**WHEREAS**, through its examination, the Department found that:

1. The Department determined that J.J. Best, prior to licensure in April of 2014, conducted unlicensed sales finance company activity; and
2. J.J. Best entered into retail installment contracts with eighty-seven (87) New Hampshire consumers without a New Hampshire Sales Finance Company license.

**WHEREAS**, J.J. Best makes the following acknowledgements:

1. J.J. Best hereby acknowledges that were an administrative hearing to be held in this

matter, the Department would introduce evidence demonstrating that J.J. Best violated RSA 361-A.

2. J.J. Best voluntarily enters into and signs this Consent Order without reliance upon any discussions between the Department and J.J. Best, without the promise of a benefit of any kind (other than the concessions contained in this Consent Order), and without threats, force, intimidation or coercion of any kind.
3. The conduct described above, if proven, would constitute violations of state law, which could result in penalties pursuant to RSA 361-A:11, V.
4. J.J. Best understands the nature of the allegations set forth herein and that they constitute grounds for potential sanctions, as provided by law.
5. J.J. Best acknowledges, understands, and agrees that it has the right to notice and an adjudicatory hearing to contest the matters set forth herein, including any appeal, and hereby waives those rights. J.J. Best further acknowledges it waives the filing of any civil actions related to this matter.
6. J.J. Best understands that its action in entering this Consent Order is a final act and not subject to reconsideration or judicial review or appeal.
7. J.J. Best represents and warrants that it has all the necessary rights, powers and abilities to carry out the terms of this Consent Order.
8. J.J. Best acknowledges that the Department is relying upon J.J. Best's representations and warranties stated herein in making its determinations in this matter.
9. J.J. Best acknowledges that this Consent Order may be revoked and the Department may pursue any and all remedies available under the law against J.J. Best if the Department later learns that J.J. Best knowingly or willfully withheld information

from the Department.

10. This Consent Order is binding on all heirs, assigns and successors in interest.

**WHEREAS**, J.J. Best consents to the Department imposing the following sanctions:

1. J.J. Best shall remit an administrative fine in the amount of \$5,000 to resolve the Department's allegations presented herein regarding J.J. Best having conducted unlicensed sales finance company activity, which J.J. Best shall remit in five (5) consecutive monthly payments in the amount of \$1,000 by bank check to the "State of New Hampshire."
2. Failure by J. J. Best to comply with any portion of this Consent Order shall constitute a separate and sufficient basis for administrative action, up to and including license revocation and monetary penalties.

**NOW THEREFORE**, the Commissioner of the New Hampshire Banking Department enters the following ORDER:

1. The sanctions set forth above are hereby entered;
2. Pursuant to RSA 361-A:5, VI, the Commissioner finds this action necessary or appropriate to the public interest or the protection of consumers and consistent with the purposes fairly intended by the policy and provisions of this title;
3. This Order fully resolves this matter and the Commissioner will not take further action against J.J. Best for the allegations presented herein, provided that the Department may take enforcement action against J.J. Best for any violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms of this Order are not being observed or if any representation made by J.J. Best and reflected herein is subsequently discovered to be

