

**STATE OF NEW HAMPSHIRE  
BANKING DEPARTMENT**

In The Matter of: MoneyGram Payment Systems, Inc.  
Case No. 15-270

**CONSENT ORDER**

**WHEREAS**, pursuant to RSA 399-G, the New Hampshire Banking Department (“Department”) is charged with regulating persons that “engage in the business of money transmission” in New Hampshire or with New Hampshire consumers.

**WHEREAS**, pursuant to RSA 399-G:13, I, the Department is authorized to examine the business affairs of any licensee or non-licensee money transmitter to determine compliance with the RSA 399-G.

**WHEREAS**, MoneyGram Payment Systems, Inc. (“MoneyGram”) is a Delaware corporation and a New Hampshire Money Transmitter licensee.

**WHEREAS**,

1. During its recent internal audit in 2015, MoneyGram discovered that it sold its xpress<sup>®</sup> Payment Card (a pre-pay stored value card) in New Hampshire Dollar General locations without New Hampshire authorized delegate registrations.
2. MoneyGram promptly informed the Department of its finding and provided the complete list of cards sold, fees charged and collected at its nine (9) unauthorized delegate locations.
3. MoneyGram sold 268 xpress<sup>®</sup> Payment Cards and collected \$2,941.65 in fees.
4. MoneyGram fully cooperated with the Department.

**WHEREAS**, MoneyGram makes the following acknowledgements:

1. MoneyGram acknowledges that were an administrative hearing to be held in this

matter, the Department would introduce evidence demonstrating that MoneyGram violated RSA 399-G:2, I.

2. MoneyGram voluntarily enters into and signs this Consent Order without reliance upon any discussions between the Department and MoneyGram, 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 399-G:23, II and III.
4. MoneyGram 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. MoneyGram further acknowledges it waives the filing of any civil actions related to this Consent Order.
5. MoneyGram understands that its action in entering this Consent Order is a final act and not subject to reconsideration or judicial review or appeal.
6. MoneyGram understands the nature of the allegations set forth herein and that they constitute grounds for potential sanctions, as provided by law.
7. MoneyGram represents and warrants that it has all the necessary rights, powers and abilities to carry out the terms of this Consent Order.
8. MoneyGram acknowledges that the Department is relying upon MoneyGram's representations and warranties stated herein in making its determinations in this matter.
9. MoneyGram acknowledges that this Consent Order may be revoked and the Department may pursue any and all remedies available under the law against

MoneyGram if the Department later learns that MoneyGram knowingly or willfully withheld information from the Department.

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

**WHEREAS**, MoneyGram consents to the Department imposing the following sanctions:

1. MoneyGram shall remit a penalty in the amount of \$2,725 by bank check payable to the “State of New Hampshire.” Such payment shall be made contemporaneously with MoneyGram’s execution of this Consent Order.
2. Failure by MoneyGram 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 399-G:24,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 MoneyGram for the allegations presented herein, provided that the Department may take enforcement action against MoneyGram 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 MoneyGram and reflected herein is subsequently discovered to be untrue;

