

**STATE OF NEW HAMPSHIRE
BANKING DEPARTMENT**

In The Matter of: Metavante Payment Services, LLC
Case No. 16-067

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 RSA 399-G.

WHEREAS, Metavante Payment Services, LLC (“Metavante”) is a Delaware limited liability company with a principal office location in Milwaukee, Wisconsin and a New Hampshire Money Transmitter licensee applicant whose license is pending execution of this Consent Order.

WHEREAS,

1. The Department has determined that Metavante "engages in the business of money transmission" when it provides its bill presentment and payment service ("Service") to New Hampshire consumers who list the billers through a third-party accounting program. Metavante advances funds directly to the consumers' billers based on the consumer's instructions.
2. Metavante conducted 161,728 transactions for New Hampshire consumers from 2012 through 2015 and collected approximately \$52,304 in fees for its Service.
3. Metavante approached the Department to obtain licensure as a money transmitter.
4. Metavante fully cooperated with the Department.

5. To date, there are no consumer complaints on file with the Department regarding Metavante or the Service.

WHEREAS, Metavante makes the following acknowledgements:

1. Metavante acknowledges that were an administrative hearing to be held in this matter, the Department would introduce evidence demonstrating that Metavante violated RSA 399-G:2, I.
2. Metavante voluntarily enters into and signs this Consent Order without reliance upon any discussions between the Department and Metavante, 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, may constitute violations of state law, which could result in penalties pursuant to RSA 399-G:23, II and III.
4. Metavante 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. Metavante further acknowledges it waives the filing of any civil actions related to this Consent Order.
5. Metavante understands that its action in entering this Consent Order is a final act and not subject to reconsideration or judicial review or appeal.
6. Metavante understands the nature of the allegations set forth herein and that they constitute grounds for potential sanctions, as provided by law.
7. Metavante represents and warrants that it has all the necessary rights, powers and abilities to carry out the terms of this Consent Order.
8. Metavante acknowledges that the Department is relying upon Metavante's

representations and warranties stated herein in making its determinations in this matter.

9. Metavante acknowledges that this Consent Order may be revoked and the Department may pursue any and all remedies available under the law against Metavante if the Department later learns that Metavante knowingly or willfully withheld information from the Department.
10. Metavante understands that, pursuant to RSA 399-G:13, V and RSA 383:9, III, it is responsible for paying the cost of any examinations in addition to any penalty that may be imposed by this Consent Order.
11. This Consent Order is binding on all heirs, assigns and successors in interest.

WHEREAS, Metavante consents to the Department imposing the following sanctions:

1. Metavante shall remit a penalty in the amount of \$5,200 by bank check payable to the “State of New Hampshire.” Such payment shall be made contemporaneously with Metavante’s execution of this Consent Order.
2. Failure by Metavante 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 for the protection of consumers and consistent

