

**STATE OF NEW HAMPSHIRE
BANKING DEPARTMENT**

In The Matter of: Flagship Credit Acceptance LLC

Case No. 17-245

CONSENT ORDER

The State of New Hampshire Banking Department (“Department”), acting in agreement with the respondent, Flagship Credit Acceptance LLC (“Flagship Credit”), finds and orders as follows:

Jurisdiction

Pursuant to RSA 361-A:2, I, the New Hampshire Banking Department (“Department”) is charged with regulating persons that “engage in the business of a sales finance company” in New Hampshire. 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 RSA 361-A.

Background

Flagship Credit is a Pennsylvania limited liability company with a principal office location in Chadds Ford, Pennsylvania, and a New Hampshire sales finance company-licensee. Pursuant to its authority under 361-A:6-a, I, the Department, through the Consumer Credit Division, conducted an examination of Flagship Credit. Flagship Credit fully cooperated with the Department regarding its unlicensed activity.

Through its examination, the Department found that between September 24, 2013 and June 21, 2016, Flagship Credit conducted unlicensed sales finance company activity in violation of RSA 361-A:2, I. Flagship Credit was initially licensed by the Department from March 31, 2011 through September 23, 2013 and obtained its New Hampshire sales finance company

license again beginning on June 22, 2016. Flagship Credit is barred from recovering the finance charge, delinquency or collection charge obtained from the following consumers during the time period it was not licensed by the Department¹. Flagship shall provide restitution as follows:

Consumer 1: \$1,485.87

Consumer 2: \$687.21

Consumer 3: \$135.32.

Acknowledgments

WHEREAS, Flagship Credit, without admitting any liability and in good faith, enters into this Consent Order and makes the following acknowledgements:

1. Flagship Credit voluntarily enters into and signs this Consent Order without reliance upon any discussions between the Department and Flagship Credit, 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.
2. Flagship Credit understands the nature of the allegations set forth herein and that they constitute grounds for potential sanctions, as provided by law.
3. Flagship Credit 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. Flagship Credit further acknowledges it waives the filing of any civil actions related to this matter.
4. Flagship Credit understands that its action in entering this Consent Order is a final act and not subject to reconsideration or judicial review or appeal.
5. Flagship Credit represents and warrants that it has all the necessary rights, powers and abilities to carry out the terms of this Consent Order.

¹ RSA 361-A:11, III

6. Flagship Credit acknowledges that the Department is relying upon Flagship Credit's representations and warranties stated herein in making its determinations in this matter.
7. Flagship Credit acknowledges that this Consent Order may be revoked and the Department may pursue any and all remedies available under the law against Flagship Credit if the Department later learns that Flagship Credit knowingly or willfully withheld information from the Department.
8. This Consent Order is binding on all heirs, assigns and successors in interest.

Order

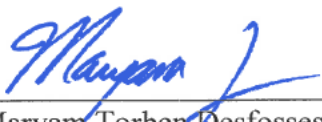
Pursuant to RSA 361-A:5, VI, the Commissioner finds this action necessary or appropriate to the public interest or the protection of consumers and consistent with the purposes fairly intended by the policy and provisions of RSA Chapter 361-A. Accordingly, the Bank Commissioner orders as follows:

1. Flagship Credit shall provide restitution to Consumer 1 with a bank check made payable to Consumer 1 and shall provide a copy of the cancelled check to the Department. The check shall include the following explanation: "This credit is provided through a Consent Order (Docket #17-245) entered into with the New Hampshire Banking Department. Should you have any questions, please contact the New Hampshire Department at 603-271-3561."
2. Flagship Credit shall apply a \$687.21 credit to Consumer 2's Flagship loan account and a \$135.32 credit to Consumer 3's Flagship loan account and shall provide a copy of the updated balance statement to both the Department and Consumers 2 and 3. The updated balance statement provided to Consumers 2 and 3 shall include the

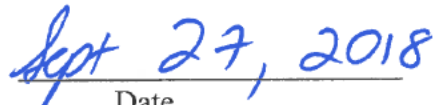
following explanation: “This credit is provided through a Consent Order (Docket #17-245) entered into with the New Hampshire Banking Department. Should you have any questions, please contact the New Hampshire Department at 603-271-3561.”

3. Flagship Credit shall remit an administrative fine in the amount of \$4,500. The payment shall be made contemporaneously with Flagship Credit’s execution of this Consent Order, by bank check made payable to the “State of New Hampshire.”
4. Failure by Flagship Credit 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.
5. This Order fully resolves this matter and the Commissioner will not take further action against Flagship Credit for the allegations presented herein. However, the Department may take enforcement action against Flagship Credit 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 Flagship Credit and reflected herein is subsequently discovered to be untrue.
6. This Consent Order shall become final when issued.

Recommended by:



Maryam Torben Desfosses
Hearings Examiner
New Hampshire Banking Department



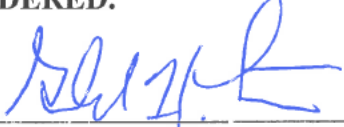
Date



Michael C. Ritter
President
Flagship Credit Acceptance LLC

10/3/18
Date

SO ORDERED.



Gerald H. Little
Bank Commissioner
New Hampshire Banking Department

10/4/18
Date