

**STATE OF NEW HAMPSHIRE
BANKING DEPARTMENT**

In The Matter of: TIO Networks USA Inc.

Case No. 18-151

CONSENT ORDER

The State of New Hampshire Banking Department (“Department”), acting in agreement with the respondent, TIO Networks USA Inc. (“TIO Networks”), finds and orders as follows:

Jurisdiction

Pursuant to RSA 399-G:2, I¹, the New Hampshire Banking Department (“Department”) is charged with regulating persons that act “as a money transmitter while physically located in New Hampshire, or with, to, or from persons located in New Hampshire.” 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.

Background

TIO Networks is a corporation registered in Washington State and New Hampshire with a principal office location in San Jose, California and was a licensed New Hampshire money transmitter from September 13, 2018 until June 10, 2019. Pursuant to its authority under 399-G:13, I, the Department, through the Consumer Credit Division, conducted an investigation of TIO Networks and discovered the following:

The Department determined that TIO Networks conducted unlicensed money transmission activity for New Hampshire entities from at least 2012 through September 12, 2018 and collected fees totaling \$24,014.64. TIO Networks fully cooperated with the Department

¹ RSA 399-G:2, I and RSA 399-G:3 prior to January 1, 2016.

regarding its unlicensed activity, which was in violation of RSA 399-G:2, I².

Acknowledgments

WHEREAS, solely for the purpose of settling this matter, and without admitting or denying any of the findings herein or any violation of New Hampshire law, TIO Networks makes the following acknowledgements:

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

² *Id.*

7. TIO Networks acknowledges that this Consent Order may be revoked and the Department may pursue any and all remedies available under the law against TIO Networks if the Department later learns that TIO Networks 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 399-G:24, VI³, the Commissioner (“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 399-G. Accordingly, the Commissioner orders as follows:

1. TIO Networks shall remit an administrative fine in the amount of \$27,014.64, which shall be made contemporaneously with TIO Networks’ execution of this Consent Order, by bank check made payable to the “State of New Hampshire.”
2. Failure by TIO Networks to comply with any portion of this Consent Order shall constitute a separate and sufficient basis for administrative action, up to and including license denial, license revocation, and monetary penalties.
3. This Consent Order fully resolves this matter and the Commissioner will not take further action against TIO Networks for the allegations presented herein. However, the Department may take enforcement action against TIO Networks for any violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms of this Consent Order are not being observed or if any representation made by TIO Networks and reflected herein is

³ RSA 399-G:20, VI prior to January 1, 2016.

subsequently discovered to be untrue.

4. This Consent Order shall become final when executed by the Commissioner.

Recommended by:



Maryam Torben
Hearings Examiner
New Hampshire Banking Department

January 31, 2020
Date


John Kunze
Director and President
TIO Networks USA Inc.

February 5, 2020
Date

SO ORDERED.


Gerald H. Little
Bank Commissioner
New Hampshire Banking Department

February 6, 2020
Date