

1 State of New Hampshire Banking Department

2

3 In re the Matter of: ) Case No.: 07-103  
 )  
 4 State of New Hampshire Banking ) Order To Show Cause  
 )  
 5 Department, )  
 )  
 6 Petitioner, )  
 )  
 7 and )  
 )  
 8 Interpayment Services, Ltd., )  
 )  
 9 Respondent )  
 )

---

10

11 NOTICE OF ORDER

12 This Order commences an adjudicative proceeding under the provisions of  
13 RSA 541-A:31, RSA 399-G, and BAN 204.03.

14 LEGAL AUTHORITY AND JURISDICTION

15 Pursuant to RSA 399-G:18, the Commissioner of the New Hampshire Banking  
16 Department (hereinafter "the Department") may issue an Order to Show Cause  
17 why a license should not be revoked, suspended, or penalties imposed or both.  
18 RSA 399-G:18 states that the Department may issue such Order when a licensee  
19 engages in any practice which violates the Chapter. RSA 399-G:21 states the  
20 Commissioner may impose penalties of up to \$2,500 per violation of the  
chapter.

21 Pursuant to RSA 383:10-d the Commissioner shall investigate conduct that  
22 is or may be an unfair or deceptive act or practice under RSA 358-A and exempt  
23 under RSA 358-A:3, I or that may violate any of the provisions of Titles XXXV  
24 and XXXVI and administrative rules adopted thereunder. The commissioner may  
25 hold hearings relative to such conduct and may order restitution for a person

1 or persons adversely affected by such conduct. The Commissioner may utilize  
2 all remedies available under the Act.

3 **NOTICE OF RIGHT TO REQUEST A HEARING**

4 The above named respondent has the right to request a hearing on this  
5 Order to Show Cause, as well as the right to be represented by counsel. Any  
6 such request for a hearing shall be in writing, and signed by the respondent  
7 or by the duly authorized agent of the above named respondent, and shall be  
8 delivered either by hand or certified mail, return receipt request, to the  
9 Banking Department, State of New Hampshire, 64B Old Suncook Road, Concord, NH  
10 03301. Hearings shall be held within ten business days of receipt of the  
11 request pursuant to RSA 541-A.

12 If respondent fails to appear at a requested hearing, or fails to  
13 request a hearing or respond to the show cause order within 30 calendar days  
14 of receipt of this order, respondent shall be deemed in default, and the  
15 penalties requested will be imposed.

16 **STATEMENT OF ALLEGATIONS, APPLICABLE LAWS AND REQUEST FOR RELIEF**

17 The Staff Petition dated May 1, 2007 (a copy of which is attached  
18 hereto) are incorporated by reference hereto.

19 **ORDER**

20 WHEREAS, finding it necessary and appropriate and in the public  
21 interest, and consistent with the intent and purposes of the New Hampshire  
22 banking laws, and

23 WHEREAS, finding that the allegations contained in the Staff Petition,  
24 if proved true and correct, form the legal basis of the relief requested,

25 It is hereby ORDERED, that:

1. The Respondent shall show cause why penalties for their  
activity prior to licensure should not be imposed; and

1 2. Failure to request a hearing within 30 days of the date of  
2 receipt of this Order shall result in a default judgment being  
3 rendered and administrative penalties being imposed upon the  
4 defaulting Respondent.

5 SIGNED,

6 Dated: 5/2/07

7 /s/  
8 PETER C. HILDRETH  
9 BANK COMMISSIONER  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

State of New Hampshire Banking Department

In re the Matter of: ) Case No.: 07-103  
)  
State of New Hampshire Banking ) Staff Petition  
Department, )  
)  
Petitioner, )  
) May 1, 2007  
and )  
)  
Interpayment Services, Ltd., )  
)  
Respondent )  
)  
)  
)

---

STATEMENT OF ALLEGATIONS

I. The staff of the Banking Department, State of New Hampshire (hereinafter referred to as the "Department") alleges the following facts:

1. Interpayment Services, Ltd. (hereinafter, Respondent) is a money transmitter business within the definition of RSA 399-G:1.
2. Respondent has a principal place of business of 100 Yonge St. 14<sup>th</sup> Floor, Ontario Canada and has 26 authorized delegates in the state of New Hampshire.
3. Respondent was subject to licensure pursuant to RSA 399-G which was signed into law on June 19, 2006 and made effective on August 18, 2006.
4. Respondent submitted their license application on February 12, 2007.
5. Initial deficiencies included: execution of the surety bond, execution of the application, fingerprint cards from UK, and additional disclosures needed.

1 6. After all deficiencies were addressed the license was issued with an  
2 effective date of April 18, 2007.

3 7. Respondent admitted that between August 18, 2006 and April 18, 2007  
4 they engaged in 33,504 transactions with New Hampshire consumers for a  
5 total amount of \$2,524,892.

6  
7 II. The staff of the Banking Department, State of New Hampshire alleges the  
8 following issues of law:

9 1. The Banking Department ("Department"), has jurisdiction over the  
10 licensing and regulation of persons engaged in Money Transmission  
11 business pursuant to NH RSA 399-G:2.

12 2. RSA 399-G:21 IV provides that any person who, either knowingly or  
13 negligently, violates any provision of RSA 399-G, may upon hearing, and  
14 in addition to any other penalty provided for by law, be subject to  
15 suspension, revocation, or denial of any registration or license, or an  
16 administrative fine not to exceed \$2,500, or both. Each of the acts  
17 specified shall constitute a separate violation, and such  
18 administrative action or fine may be imposed in addition to any  
19 criminal penalties or civil liabilities imposed by New Hampshire  
20 banking laws. Respondent is subject to revocation and/or  
21 administrative fines for violations of RSA 399-G.

22 **RELIEF REQUESTED**

23 The staff of the Banking Department requests the Commissioner take the  
24 following action:

- 25 1. Find as fact the allegations contained in section I of the Statement of  
26 Allegations of this petition.  
27 2. Make conclusions of law relative to the allegations contained in section  
28 II of the Statement of Allegations of this petition.

1 3. Assess fines and administrative penalties in accordance RSA 399-D:24, for  
2 violations of the New Hampshire Banking Laws, in the number and amount  
3 equal to the violations set forth in section I of the Statement of  
4 Allegations of this petition. Respondent is subject to an administrative  
5 penalty of \$2,500 for each violation of the Chapter.

6 4. Take such other administrative and legal actions as are necessary for  
7 enforcement of the New Hampshire Banking laws, the protection of New  
8 Hampshire citizens, and to provide other equitable relief.

8 **RIGHT TO AMEND**

9 The Department reserves the right to amend this Petition for Relief and  
10 to request that the Banking Department Commissioner take additional  
11 administrative action. Nothing herein shall preclude the Department from  
12 bringing additional enforcement action under RSA 399-G or the regulations  
13 thereunder.

14  
15 Respectfully submitted by:

16  
17         /S/    
James Shepard  
Staff Attorney

  5/1/07    
Date