1	State of New Hampshire Banking Department
2	In re the Matter of:)Case No.: 09-094
3) State of New Hampshire Banking)
4) Department,)
5) Petitioner,)Consent Order
6	and)
7) Consumer Credit Counseling Service of)
8) Greater Atlanta, Inc. d/b/a Credability,)
9	Respondent)
10) CONSENT ORDER
11	The State of New Hampshire Banking Department (the "Department") finds and
12	Orders as follows:
13	Respondent
14	1. Consumer Credit Counseling Service of Greater Atlanta Inc. d/b/a
15	Credability ("Credability") is a non-profit corporation duly formed in
16	the State of Georgia on October 21, 1963 with its principal location
17	in Atlanta, Georgia. In New Hampshire, Credability was formerly known
18	as Credibility CCCS of Greater Atlanta and initially registered on
19	November 10, 2003.
20	2. Credability has been licensed as a Debt Adjuster by the Department
21	since January 11, 2008 (with an amended license date of January 10,
22	2011).
23	Jurisdiction
24	3. The Department is authorized to regulate debt adjusters pursuant to
25	RSA Chapter 399-D. RSA 399-D:1 and RSA 399-D:3.

4. The Commissioner has jurisdiction to issue orders to show cause and to cease and desist from violations under RSA Chapter 399-D and to revoke, deny, or suspend a license of a licensee and/or assess penalties pursuant to RSA Chapter 399-D. Chapter 399-D. RSA 399-D:13 and RSA 399-D:23.

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5. Since 1998, Credability has been conducting debt adjuster activity for New Hampshire consumers but licensure was only needed since September 12, 2004 due to the change in law that no longer exempted Credability from licensure.

6. Since September 12, 2004 until its licensure date of January 11, 2008, Credability conducted unlicensed debt adjuster activity for fourteen (14) New Hampshire consumers (Consumers A through N). Fees charged and collected by Credability for Consumer A through N total \$3,120.00 as follows:

Consumer A	: \$0.00;	Consumer H: \$58.29;
Consumer B	: \$0.00;	Consumer I: \$16.66;
Consumer (: \$0.00;	Consumer J: \$359.81;
Consumer I	: \$145.73;	Consumer K: \$22.20;
Consumer B	: \$408.33;	Consumer L: \$388.66;
Consumer H	: \$768.35;	Consumer M: \$172.82; and
Consumer (: \$94.35;	Consumer N: \$685.00.

7. During the examination of Credability, Credability cooperated and provided the information to show it did conduct business in New Hampshire prior to obtaining a Debt Adjuster license from the

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Department.

1	Deparcmente.
2	Violation(s) of Law and Penalties
3	8. Credability is a "Person" as defined by RSA 399-D:2,VII.
4	9. Credability, for each debt adjuster contract detailed above in
5	Paragraph 6, may be assessed an administrative fine not to exceed
6	\$2,500.00 as to each transaction for a total maximum administrative
7	penalty of \$35,000.00. RSA 399-D:24,IV.
8	10. The back retail seller license fees owed from 2004 through 2007 total
9	\$400.00. RSA 399-D:5,II(a).
10	11. Mitigating factors include but are not limited to:
11	a. Credability has cooperated with the Department;
12	b. To date, no evidence has been presented to the Department that
13	Credability has conducted unfair or deceptive activity;
14	c. Credability has complied with other applicable laws under RSA
15	Chapter 399-D; and
16	d. To date, the Department has no evidence of consumer complaints
17	filed against Credability.
18	Respondent's Consent
19	12. Credability does not deny the facts, statements, or violations
20	contained herein and Credability hereby agrees to the entry of this
21	Consent Order.
22	13. Credability hereby acknowledges, understands, and agrees that there is
23	the right to notice, hearing, and/or a civil action and hereby waives
24	said rights.
25	

1	Order
2	14. Whereas pursuant to RSA 399-D:13,VI finding this Consent Order
3	necessary, appropriate and in the public interest and consistent with
4	the intent and purposes of New Hampshire banking laws, the Department
5	Orders as follows:
6	a. Credability shall pay to the Department \$400.00 in back license
7	fees as described in Paragraph 10 above, payable
8	contemporaneously with Credability's signing of this Consent
9	Order;
10	b. Credability shall reimburse Consumers A through N the fees
11	charged as described in Paragraph 6 above, payable
12	contemporaneously with Credability's signing of this Consent
13	Order. Each check should be made out to the specific consumer
14	and submitted to the Department along with current contact
15	information to forward to the consumer;
16	c. Credability shall pay to the Department \$10,000.00 in
17	administrative penalties for unlicensed activity in 2004 through
18	2007, payable contemporaneously with Credability's signing of
19	this Consent Order; and
20	d. All checks shall be bank check or guaranteed funds and made
21	payable to "State of New Hampshire".
22	15. This Consent Order may be revoked and the Department may pursue any
23	and all remedies available under law, if the Department later finds
24	that Credability knowingly or willfully withheld information used and
25	relied upon in this Consent Order.

1	16. This Consent Order is binding on all heirs, assigns, and/or successors		
2	in interest.		
3	17. This Consent Order shall become effective upon the date the		
4	Commissioner signs this Consent Order.		
5	18. Once this Consent Order is effective, the Department agrees not to		
6	seek further reimbursement, refunds, penalties, fines, costs, or fees		
7	regarding the facts, allegations, or findings of violations contained		
8	herein.		
9	WHEREFORE, based on the foregoing, we have set our hands to this Consent		
10	Order, upon its execution by Robert A. Fleury, Deputy Bank Commissioner.		
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12	Recommended this <u>9th</u> day of <u>May</u> , 2011 by		
13	/s/		
14	Maryam Torben Desfosses, Hearings Examiner, Banking Department		
15			
16	Executed this <u>25th</u> day of <u>May</u> , 2011 by		
17	/s/		
18	Suzanne E. Boas, President, on behalf of Consumer Credit Counseling Service		
19	of Greater Atlanta, Inc. d/b/a Credability		
20			
21	SO ORDERED.		
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23	/s/Dated: May 31, 2011Robert A. Fleury,		
24	Deputy Bank Commissioner		
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