

1	In re the Matter of:) Case No.: 09-218
)
2	State of New Hampshire Banking)
)
3	Department,)
)
4	Petitioner,) Order to Show Cause and
) Cease and Desist
5	and)
)
6	NorstarCash.com (d/b/a)
)
7	www.norstarcash.com and a/k/a PDL)
)
8	Ventures, LLC, a/k/a Biggest-Cash.com,)
)
9	a/k/a CityViewCash.com, a/k/a)
)
10	GoodTimeCash.com, a/k/a)
)
11	OutbackBucks.com, and a/k/a)
)
12	TogetherCash.com),)
)
13	Respondent)

14 NOTICE OF ORDER TO SHOW CAUSE AND CEASE AND DESIST ("ORDER")

15 1. This Order commences an adjudicative proceeding under the provisions
16 of RSA Chapter 399-A (including RSA 399-A:7,I and II, RSA 399-A:8,I and RSA
17 399-A:16,IV) and RSA Chapter 541-A.

18 2. The Commissioner may impose administrative penalties of up to
19 \$2,500.00 for each violation. RSA 399-A:18,V and VI.

20 RESPONDENT

21 3. NorstarCash.com (d/b/a www.norstarcash.com and a/k/a PDL Ventures,
22 LLC, a/k/a Biggest-Cash.com, a/k/a CityViewCash.com, a/k/a GoodTimeCash.com,
23 a/k/a OutbackBucks.com, and a/k/a TogetherCash.com) ("Respondent
24 NorstarCash") is an online company located in Silver Springs, Nevada. The
25 Better Business Bureau also has Respondent NorstarCash located in Elder,

1 Montana. Respondent NorstarCash is not registered with the New Hampshire
2 Secretary of State. Respondent NorstarCash is a "Person." RSA 399-A:1,XII.

3 4. The New Hampshire Banking Department ("Department") records indicate
4 Respondent NorstarCash has never held a Payday or Small Loan Lender license
5 with the Department.

6 **RIGHT TO REQUEST A HEARING**

7 5. Respondent has a right to request a hearing on this Order. A hearing
8 shall be held not later than ten (10) days after the Commissioner receives
9 the Respondent's written request for a hearing. Respondent may request a
10 hearing and waive the ten (10) day hearing requirement. The hearing shall
11 comply with RSA Chapter 541-A. RSA 399-A:7 and RSA 399-A:8.

12 6. If any person fails to request a hearing within thirty (30) days of
13 receiving this Order, then such person shall be deemed in default, and the
14 Order shall, on the thirty-first (31st) day, become permanent, all
15 allegations may be deemed true, and shall remain in full force and effect
16 until modified or vacated by the Commissioner for good cause shown. RSA
17 399-A:7 and RSA 399-A:8.

18 7. A default may result in administrative fines as described in Paragraph
19 2 above.

20 **STATEMENT OF ALLEGATIONS**

21 **Consumer A:**

22 8. On May 29, 2009 the Department received a complaint from a New
23 Hampshire consumer ("Consumer A") against Respondent concerning a payday or
24 small loan.

25 9. On April 8, 2009, Respondent issued Consumer A the payday or small

1 loan in the amount of \$300.00, in violation of RSA 399-A:2,I.

2 10. Respondent deducted \$180.00 from Consumer A's bank account over the
3 course of 1 month in violation of RSA 399-A:11,XI and RSA 399-A:13,I.

4 11. The annual percentage rate for this loan was 497.73% in violation of
5 RSA 399-A:13,XX.

6 12. The payday loan issued to Consumer A was renewed on May 1, 2009 and
7 again on May 15, 2009 in violation of RSA 399-A;13,VII.

8 **Consumer B:**

9 13. On October 29, 2010 the Department received a complaint from a New
10 Hampshire consumer ("Consumer B") against Respondent concerning a payday or
11 small loan.

12 14. On April 14, 2009, Respondent issued Consumer B the payday or small
13 loan in the amount of \$300.00, in violation of RSA 399-A:2,I.

14 15. The annual percentage rate for this loan was 438% in violation of RSA
15 399-A:13,XX.

16 **Correspondence:**

17 16. On December 14, 2010, the Department sent a letter via U.S. First
18 Class Mail to Respondent NorstarCash at the Silver Springs, Nevada address
19 suggesting it apply for licensure with the Department, provide the
20 Department with documentation regarding New Hampshire consumer activity, and
21 resolution of a consumer complaint. The Department received the letter back
22 from the U.S. Post Office on January 4, 2011 with instructions, "Return to
23 Sender, Refused, Unable to Forward".

24 17. To date, Respondent NorstarCash has failed to provide the Department
25 with the requested documentation in violation of RSA 399-A:10,II.

1 charged, collected and waived (if applicable). The list shall also be
2 accompanied by all contracts, checks to and from the consumer and any other
3 documents in the New Hampshire consumers' files;

4 c. Respondent shall show cause why the Commissioner should not
5 enter an order of rescission, restitution, or disgorgement of profits;

6 d. Respondent shall show cause why an administrative fine of up to
7 a maximum of \$2,500.00 per violation should not be imposed as follows:

8 (1). Respondent NorstarCash:

9 Violation #1: Unlicensed payday or small loan activity
10 (RSA 399-A:2,I) - 2 counts;

11 Violation #2: Charging additional fees on a loan (RSA 399-
12 A:11,XI)) - 1 count;

13 Violation #3: Charging additional fees on a loan (RSA 399-
14 A:13,I) - 1 count;

15 Violation #4: Making a payday loan with an Annual
16 Percentage Rate in excess of 36 percent per year (RSA 399-
17 A:13,XX) - 2 counts;

18 Violation #5: Refinancing, renewing, or extending any loan
19 (RSA 399-A:13,VII) - 2 counts;

20 Violation #6: Failure to provide requested documents (RSA
21 399-A:10,II) - 1 count;

22 e. Nothing in this Order:

23 (1). shall prevent the Department from taking any further
24 administrative and legal action as necessary under New Hampshire law; and

25 (2). shall prevent the New Hampshire Office of the Attorney

