1	State of New Hampshire Banking Department
2	In re the Matter of: ) Case No.: 10-012
3	State of New Hampshire Banking Department,
4	Petitioner, )
5	and ) Consent Order
6	Default Federal Student Loan Help, LLC,
7	Respondent )
8	CONSENT ORDER
9	The State of New Hampshire Banking Department (the "Department") finds and
10	Orders as follows:
11	Respondent
12	1. Default Federal Student Loan Help, LLC ("DFS") was a limited liability
13	company duly formed in the State of New Hampshire on February 9, 2009
14	with its principal office location in Windham, New Hampshire. DFS
15	dissolved or was withdrawn or canceled on December 27, 2010. In New
16	Hampshire, DFS had not been previously licensed as a Debt by the
17	Department.
18	2. DFS no longer wishes to become licensed in the State of New Hampshire
19	as a Debt Adjuster, even though it has a pending Debt Adjuster license
20	application with the Department.
21	Jurisdiction
22	3. The Department is authorized to regulate debt adjusters pursuant to
23	RSA Chapter 399-D. RSA 399-D:1 and RSA 399-D:3.
24	4. The Commissioner has jurisdiction to issue orders to show cause and to
25	cease and desist from violations under RSA Chapter 399-D and to

revoke, deny, or suspend a license of a licensee and/or assess 1 penalties pursuant to RSA Chapter 399-D. RSA 399-D:13 and RSA 399-2 D:23. 3 4 Facts 5. In 2009, DFS conducted debt adjuster activity for two 5 Hampshire consumers without a valid Debt Adjuster license issued by 6 7 the Department. Fees charged and collected by DFS for Consumers A and B total \$999.98.00 as follows: 8 Consumer A: \$499.99; and 9 Consumer B: \$499.99. 10 6. During the request for information, DFS cooperated and provided the 11 12 information to show it did conduct business in New Hampshire without 13 proper licensure. Violation(s) of Law and Penalties 14 7. DFS is a "Person" as defined by RSA 399-D:2, VII. 15 8. DFS may be assessed an administrative fine not to exceed \$2,500.00 for 16 17 each violation of RSA Chapter 399-D. RSA 399-D:24, IV and V. 18 Respondent's Consent 9. DFS does not deny the facts, statements, or violations contained 19 20 herein and DFS hereby agrees to the entry of this Consent Order. 10. DFS has voluntarily entered into this Consent Order without reliance 21 upon any discussions between the Department and DFS, without promise 22 of a benefit of any kind (other than concessions contained in this 23 Consent Order), and without threats, force, intimidation, or coercion 24 25 of any kind. DFS further acknowledges its understanding of the nature

of the allegations set forth in this action, including the potential penalties provided by law.

11. DFS hereby acknowledges, understands, and agrees that there is the right to notice, hearing, and/or a civil action and hereby waives said rights.

## Order

- 12. Whereas pursuant to RSA 399-D:13,VI, this Consent Order is necessary, appropriate and in the public interest and consistent with the intent and purposes of New Hampshire banking laws, the Department Orders as follows:
  - a. DFS shall reimburse Consumers A and B the fees charged as described in Paragraph 5 above, payable contemporaneously with DFS' signing of this Consent Order. Each check should be made out to the specific consumer and submitted to the Department along with current contact information to forward to the consumer;
  - b. DFS shall pay to the Department \$500.00 in investigation costs, payable contemporaneously with DFS' signing of this Consent Order; and
  - c. All checks shall be bank check or guaranteed funds and made payable to "State of New Hampshire", except for those specifically made payable to Consumers A and B.
- 13. This Consent Order may be revoked and the Department may pursue any and all remedies available under law, if the Department later finds that DFS knowingly or willfully withheld information used and relied

1	upon in this Consent Order.
2	14. This Consent Order is binding on all heirs, assigns, and/or successors
3	in interest.
4	15. This Consent Order shall become effective upon the date the
5	Commissioner signs this Consent Order.
6	16. Once this Consent Order is effective, the Department agrees not to
7	seek further reimbursement, refunds, penalties, fines, costs, or fees
8	regarding the facts, allegations, or findings of violations contained
9	herein.
10	WHEREFORE, based on the foregoing, we have set our hands to this Consent
11	Order, upon its execution by Ronald A. Wilbur, Bank Commissioner.
12	
13	Recommended this <u>14th</u> day of <u>October</u> , 2011 by
14	/s/
15	Maryam Torben Desfosses, Hearings Examiner, Banking Department
16	
17	Executed this <u>23rd</u> day of <u>October</u> , 2011 by
18	/s/
19	Tammy Gazda, General Manager and Owner of Default Federal Student Loan Help,
20	LLC
21	
22	SO ORDERED.
23	
24	/s/ Ronald A. Wilbur,
25	Bank Commissioner