

1 D:23.

2 **Facts**

- 3 4. ADC conducted debt adjuster activity for New Hampshire consumers
4 without a valid Debt Adjuster license issued by the Department.
5 5. During the request for information, ADC cooperated and provided the
6 information to show it did conduct business in New Hampshire without
7 proper licensure.

8 **Violation(s) of Law and Penalties**

- 9 6. ADC is a "Person" as defined by RSA 399-D:2,VII.
10 7. ADC may be assessed an administrative fine not to exceed \$2,500.00 for
11 each violation of RSA Chapter 399-D. RSA 399-D:24,IV and V.

12 **Respondent's Consent**

- 13 8. ADC hereby acknowledges that were an administrative hearing to be held
14 in this matter, the Department would introduce evidence demonstrating
15 that ADC conducted unlicensed Debt Adjuster activity in New Hampshire.
16 9. ADC has voluntarily entered into this Consent Order without reliance
17 upon any discussions between the Department and ADC, without promise
18 of a benefit of any kind (other than concessions contained in this
19 Consent Order), and without threats, force, intimidation, or coercion
20 of any kind. ADC further acknowledges its understanding of the nature
21 of the allegations set forth in this action, including the potential
22 penalties provided by law.
23 10. ADC hereby acknowledges, understands, and agrees that there is the
24 right to notice, hearing, and/or a civil action and hereby waives said
25 rights.

Order

1
2 11. **Whereas pursuant to RSA 399-D:13,VI,** this Consent Order is necessary,
3 appropriate and in the public interest and consistent with the intent
4 and purposes of New Hampshire banking laws, the Department Orders as
5 follows:

6 a. ADC shall pay to the Department \$1,500.00 in administrative
7 penalties, payable contemporaneously with ADC's signing of this
8 Consent Order. The check shall be bank check or guaranteed funds
9 and made payable to "State of New Hampshire."

10 12. This Consent Order may be revoked and the Department may pursue any
11 and all remedies available under law, if the Department later finds
12 that ADC knowingly or willfully withheld information used and relied
13 upon in this Consent Order.

14 13. This Consent Order is binding on all heirs, assigns, and/or successors
15 in interest.

16 14. This Consent Order shall become effective upon the date the
17 Commissioner signs this Consent Order, providing the Department has
18 confirmed the payment referenced in Paragraph 11.a. herein.

19 15. Once this Consent Order is effective, the Department agrees not to
20 seek further reimbursement, refunds, penalties, fines, costs, or fees
21 regarding the facts, allegations, or findings of violations contained
22 herein.

1 **WHEREFORE**, based on the foregoing, we have set our hands to this Consent
2 Order, upon its execution by Ronald A. Wilbur, Bank Commissioner.

3
4 Recommended this 17th day of May, 2012 by

5 _____
/s/

6 Maryam Torben Desfosses, Hearings Examiner, Banking Department

7
8 Executed this 30th day of May, 2012 by

9
10 _____
/s/

11 Alan Silverberg as Owner and on behalf of American Debt Counseling, inc.

12
13
14 **SO ORDERED.**

15
16 _____
/s/

17 Ronald A. Wilbur,
Bank Commissioner

Dated: 6/7/12