

1 State of New Hampshire Banking Department

2

3 In re the Matter of: ) Case No.: No. 06-022  
 )  
 4 New Hampshire Banking Department, )  
 )  
 5 Petitioner, ) Order for Default Judgment  
 )  
 6 and )  
 )  
 7 Payday City, )  
 )  
 8 Respondent )  
 )  
 9 )  
 )

10 Default Judgment

11 The Commissioner issued a Cease and Desist Order ("Order") against the  
 12 above named Respondent on May 24, 2006. Respondent Payday City received the  
 13 Order via U.S. Certified Mail Return Receipt Requested on May 30, 2006.  
 14 Respondent Payday City failed to request a hearing or reach a settlement  
 15 with the New Hampshire Banking Department ("Department") within thirty days  
 16 as required to avoid Default.

17 It is hereby ORDERED, that:

- 18 1. By operation of law, a Default Judgment was entered against the above  
 19 named Respondent on June 30, 2006;
- 20 2. The allegations contained in the May 22, 2006 Staff Petition are  
 21 deemed true;
- 22 3. Pursuant to RSA 399-A:18, Respondent Payday City must remit to the  
 23 Department \$2,500.00 for each such New Hampshire consumer/customer;
- 24 4. Respondent Payday City shall immediately cease engaging in small loan,  
 25 payday loan or title lending activities in the State of New Hampshire;

1 5. Pursuant to RSA 399-A:2, Respondent Payday City shall, within thirty  
2 (30) days, repay to New Hampshire customers/consumers all fees charged  
3 and collected (principal, interest and other charges) as a result of  
4 its unlicensed activity, with the following requirements:

5 a. Respondent Payday City shall give the Department all written and  
6 electronic documentation indicating any and all (a) principal or  
7 application fees charged and collected, (b) finance charges  
8 charged and collected, (c) delinquency fees charged and  
9 collected, and (d) collection charges charged and collected;

10 b. Such written and electronic documentation shall include but not  
11 be limited to, contracts, agreements, bank statements and  
12 cancelled checks from consumers, or copies thereof; and

13 c. Respondent Payday City shall give the Department all written and  
14 electronic documentation proving that payment was made to the  
15 consumers and cashed by such consumers.

16 6. Failure to abide by this default judgment may result in civil and/or  
17 criminal penalties.

18  
19 SIGNED,

20  
21 Dated: 07/31/09

22 \_\_\_\_\_  
23 /s/  
24 PETER C. HILDRETH  
25 BANK COMMISSIONER