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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES

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COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF BANKING AND :
SECURITIES, COMPLIANCE OFFICE :

v. : DOCKET NO. 19 0061 (BNK-CAO)

UNITED DEBT COUNSELORS LLC :

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities (“Department”), Compliance Office (“Office”), has reviewed the business practices of United Debt Counselors LLC (“United Debt”). Based on the results of its review, together with certain disclosures United Debt has made to the Department, the Office believes that United Debt operated in violation of the Debt Settlement Services Act, (“DSSA”), 63 P.S. § 2501 et seq. United Debt disagrees with the Department’s belief, Particularly as to the extent of the alleged violations, but for the purposes of settlement only is entering this Consent Agreement and Order (“Order”). United Debt expressly disavows any broader admission by this Order.

BACKGROUND

1. The Department is the Commonwealth of Pennsylvania’s administrative agency authorized and empowered to administer and enforce the DSSA.
2. The Office is primarily responsible for administering and enforcing the DSSA for the Department.
3. United Debt’s principal place of business is located at 3460 Lotus Drive, Ste 150, Plano, TX 75075.

Unlicensed Period

4. The DSSA became effective on January 1, 2015.

5 The DSSA requires anyone marketing, soliciting, offering to provide or providing debt settlement services for a fee or other consideration to an individual residing in Pennsylvania at the time of the agreement to be licensed 63 P S § 2521

6 United Debt is not, and never has been, licensed under the DSSA

7 United Debt has been providing debt settlement services to Pennsylvania consumers while not licensed to do so.

8 United Debt ceased accepting new clients when it learned of the licensing requirements

9 United Debt cooperated with the Department regarding the matters addressed in this Order

Authority of the Department

10 The DSSA grants the Department the authority to issue orders as may be necessary for enforcement. 63 P.S. § 2571(4)

11 The Department may “impose a civil penalty of up to \$10,000 for each violation of this act” 63 P S. § 2574(a).

VIOLATION

12 United Debt violated the DSSA when it engaged in the business of a debt settlement services company while unlicensed. 63 P S. § 2521

RELIEF

13 Fine United Debt agrees to pay a fine of thirty thousand dollars (\$30,000) with the payment due upon agreed payment schedule and dates. The fine payment shall be made by ACH or wire transfer, or if ACH or wire transfer is unavailable by certified check, cashier’s check, teller’s check or money order made payable to the “Department of Banking and Securities” and shall be mailed, or delivered in person to the attention of: Department of Banking and Securities, Compliance Office, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101-2290

14. Corrective Action. Upon the Effective Date of this Order, United Debt shall not perform debt settlement services for a fee in Pennsylvania unless it is licensed to do so.

15 United Debt may continue to service its clients under a debt settlement program as long as the company does not charge any fees for doing so

16 United Debt shall refund all fees and considerations in the amount of \$295,899.08 due upon agreed refund schedule and dates. The refunds may be accomplished by crediting the refunds to the clients' settlement accounts. United Debt shall provide to the Department confirmation all fees have been refunded to Pennsylvania clients.

FURTHER PROVISIONS

17 Consent. United Debt hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Department's order authority under the DSSA and agrees that it understands all of the terms and conditions contained herein. United Debt, by voluntarily entering into this Order, waives any right to a hearing or appeal concerning the terms, conditions and/or penalties set forth in this Order.

18 Consumer's Rights. The Order shall not limit or impair a consumer's rights under the DSSA.

19 Publication. The Department will publish this Order pursuant to its authority in Section 302 A (5) of the Department of Banking and Securities Code 71 P.S. § 733-302 A (5).

20 Entire Agreement. This Order contains the whole agreement between the parties. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kinds whatsoever concerning this Order. This Order may be amended in writing by mutual agreement by the Office and United Debt.

21 Binding Nature. The Department, United Debt, and all officers, owners, directors, employees, heirs and assigns of United Debt intend to be and are legally bound by the terms of this Order.

22 Counsel. This Order is subject to review by the Department's Legal Division. This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

23 Effectiveness. United Debt hereby stipulates and agrees that the Order shall become effective on the date that the Department's Legal Division docket this Order ("Effective Date").

24. Other Enforcement Action.

- a. The Department reserves all of its rights, duties, and authority to enforce all statutes, rules and regulations under its jurisdiction against United Debt in the future regarding all matters not resolved by this Order.
- b. United Debt acknowledges and agrees that this Order is only binding upon the Department and not any other local, state or federal agency, department or office regarding matters within this Order.

25. Authorization. The parties below are authorized to execute this Order and legally bind their respective parties.

26. Counterparts. This Order may be executed in separate counterparts and by facsimile or electronic mail in portable document format "PDF."

27 Titles. The titles used to identify the paragraphs of this document are for the convenience of reference only and do not control the interpretation of this document.

WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Department of Banking and Securities, Compliance Office, and United Debt intending to be legally bound do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
BANKING AND SECURITIES,
COMPLIANCE OFFICE**

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John Talalai, Administrator
Compliance Office
Department of Banking and Securities

Date: 5-3-2019

FOR UNITED DEBT COUNSELORS LLC

Redacted

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_____~~
(Officer Signature)

Corinne Maples
(Print Officer Name)

COO
(Title)

Date: 5/1/19

