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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING AND SECURITIES 2821 MAR -8 AM 7:52

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

PA DEPARTMENT OF  
BANKING AND SECURITIES

v. :

DOCKET NO. 21 0010 (BNK-CAO)

UNITED DEBT SETTLEMENT, 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 Settlement, LLC ("UDS"). Based on the results of its review, together with certain voluntary disclosures it has made to the Department, the Office believes that UDS operated in violation of the Debt Settlement Services Act, ("DSSA"), 63 P.S. § 2501 et seq. The parties to the above captioned matter, in lieu of litigation, hereby stipulate that the following statements are true and correct in the settlement of the above-captioned matter, and intending to be legally bound, hereby agree to the terms of this Consent Agreement and Order ("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. UDS's principal place of business is located at 241 W. 30<sup>th</sup> St., 3<sup>rd</sup> Floor, New York, NY 10001.

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. UDS is not, and never has been, licensed under the DSSA.

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

8. UDS ceased accepting new clients when it learned of the licensing requirements.

9. UDS 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. UDS violated the DSSA when it engaged in the business of a debt settlement services company while not licensed to do so. 63 P.S. § 2521.

#### **RELIEF**

13. Fine. UDS agrees to pay a fine of fifteen thousand six hundred twenty-five dollars (\$15,625) with the payment due within thirty (30) days of the Effective Date of the Order. 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 to the attention of: Department of Banking and Securities, Compliance Office, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101-2290.

14. UDS shall refund all fees and considerations which it collected while not licensed in the amount of \$29,029.99 to all Pennsylvania clients within 30 days of the Effective Date of this Order.

The refunds may be accomplished by crediting the refunds to the clients' settlement accounts. UDS shall provide to the Department confirmation all fees have been refunded to Pennsylvania clients.

15. Corrective Action. UDS will apply for licensure under the DSSA. UDS will continue to service Pennsylvania clients but will not charge any fee until and unless the company is licensed.

#### **FURTHER PROVISIONS**

16. Consent. UDS 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. UDS, 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.

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

18. 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).

19. 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 UDS.

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

21. 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.

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

23. 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 UDS in the future regarding all matters not resolved by this Order.

