

## ORDER

BEFORE THE ADMINISTRATOR  
STATE OF WISCONSIN  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF BANKING

TO: Financial Help Services Inc  
6400 N Andrews Ave Suite 530  
Fort Lauderdale FL 33309  
Respondent

Bobby Blackmon  
2455 Hollywood Blvd Suite 117  
Hollywood FL 33020

### PURPOSE

This is an order issued by the Administrator, State of Wisconsin, Department of Financial Institutions, Division of Banking and directed to respondent.

### JURISDICTION and AUTHORITY

The State of Wisconsin, Department of Financial Institutions, Division of Banking ("division") shall enforce all laws relating to adjustment service companies in the State of Wisconsin, and shall enforce and cause to be enforced every law relating to the supervision and control thereof. Sec. 220.02(2)(b), Stats.

The intent of s. 220.02(2)(b), Stats., is to give the division jurisdiction to enforce and carry out all laws relating to adjustment service companies in the State of Wisconsin. Sec. 220.02(3), Stats.

Respondent is not licensed under s. 218.02, Stats., with the division. Upon information and belief, respondent is located at the address indicated above.

Respondent is a regulated entity under the supervision and control of the division. Sec. 220.04(9)(a)2., Stats.

It shall be the duty of the division and the division shall have power, jurisdiction and authority to investigate the conditions and ascertain the facts with reference to such companies and upon the basis thereof to issue special orders in execution of or supplementary to s. 218.02, Stats. Sec. 218.02(7), Stats.

## FINDINGS

### The division finds as follows:

1. On or about December 9, 2013, the division was advised that American Debt Counseling, Inc. ("ADC"), a licensee that terminated its Wisconsin adjustment service company license on December 9, 2013, transferred all of its client accounts to respondent. The division wrote to respondent regarding the Wisconsin client accounts transferred by ADC. No response was received from respondent. **Ex. 1.**
2. On or about November 1, 2014, the division received a complaint filed against respondent by \_\_\_\_\_ a Wisconsin resident. The division's investigation of the complaint disclosed that respondent was conducting unlicensed adjustment service company business. **Ex. 2.**
3. On December 1, 2014, January 14, 2015, and March 10, 2015, the division wrote to respondent regarding \_\_\_\_\_ complaint and respondent's unlicensed adjustment service company activity. **Exs. 3, 4 and 5.**
4. On or about April 22, 2015, respondent refunded to \_\_\_\_\_ the monthly payments respondent failed to remit to \_\_\_\_\_ creditors. The refund did not include the fee that was collected by respondent from \_\_\_\_\_. Respondent's response also did not include other items requested by the division. **Ex. 6.**
5. On April 27 and June 5, 2015, the division again requested respondent's reply to the division's concerns about respondent's unlicensed adjustment service company activity. **Exs. 7 and 8.**
6. On June 19, 2015, the division received a complaint filed against respondent by \_\_\_\_\_, a Wisconsin resident. The division's investigation of the complaint disclosed that respondent was conducting unlicensed adjustment service company business. **Ex. 9.**
7. On June 24, 2015, the division wrote to respondent regarding the complaint. No response was received from respondent. **Ex. 10.**
8. Pursuant to s. 218.02(2)(a)1., Stats., each adjustment service company shall apply to the division for a license to engage in such business.
9. Respondent violated s. 218.02(2)(a)1., Stats., by conducting adjustment service company business with Wisconsin residents without first obtaining a license.

## ORDER

### Based on the foregoing, IT IS HEREBY ORDERED AS FOLLOWS:

Respondent shall immediately discontinue any and all violations of s. 218.02, Stats., and ch. DFI-Bkg 73, Admin. Code.

Respondent shall not conduct or attempt to conduct adjustment service company business with a Wisconsin resident without first obtaining a license.

Respondent shall issue a refund to \_\_\_\_\_ for any and all monies that have been paid to respondent by \_\_\_\_\_ that have not been paid to her creditors. The refund check shall be made payable to \_\_\_\_\_ and be forwarded to the division along with a copy of \_\_\_\_\_ payment history. The refund check and payment history shall be received by the division no later than November 13, 2015.

Respondent shall issue a refund to \_\_\_\_\_ for any and all monies that have been paid to respondent by \_\_\_\_\_ that have not been paid to her creditors. The refund check shall be made payable to \_\_\_\_\_ and be forwarded to the division along with a copy of \_\_\_\_\_ payment history. The refund check and payment history shall be received by the division no later than November 13, 2015.

Respondent shall provide to the division a list of all Wisconsin client accounts respondent acquired from ADC, as well a list of all other Wisconsin residents to whom respondent provided adjustment service company services. Said lists shall be received by the division by November 13, 2015, and be accompanied by client payment histories for each client on either list.

Respondent shall refund to any Wisconsin client to whom it provided, or attempted to provide, adjustment service company activity, any and all moneys that have been paid to respondent by said clients that have not been remitted to the clients' creditors. Respondent shall forward to the division the refund checks and stamped envelopes addressed to each client along with letters advising the clients of the refund. The refund checks, client addressed stamped envelopes, and letters shall be received by the division by November 13, 2015.

The provisions of this order shall be binding upon respondent and respondent's directors, officers, employees, agents, successors, assigns, and other persons participating in the conduct of its affairs. The provisions of the order shall remain effective and enforceable except to the extent that, and until such time as, any provisions of this order shall have been modified, terminated, suspended, or set aside by the division.

The effective date of this order shall be the date it is served, and service is complete upon mailing. Secs. 227.48(1), Stats., and DFI—Bkg 11.09, Admin. Code.

Dated and mailed at Madison, Wisconsin this 15<sup>th</sup> day of October, 2015.

By: \_\_\_\_\_  
Cheryll Olson-Collins, Administrator  
Wisconsin Department of Financial Institutions  
Division of Banking  
P.O. Box 7876  
201 W. Washington Avenue, Suite 500  
Madison, WI 53707-7876  
tel. (608) 267-1707  
fax (608) 267-6889

## APPEAL

The procedures to appeal this order are set forth in s. 227.42, Stats. Pursuant to s. 227.42(1), Stats., any person filing a written request with an agency for hearing shall have the right to a hearing which shall be treated as a contested case if:

- (a) A substantial interest of the person is injured in fact or threatened with injury by agency action or inaction;
- (b) There is no evidence of legislative intent that the interest is not to be protected;
- (c) The injury to the person requesting a hearing is different in kind or degree from injury to the general public caused by the agency action or inaction; and
- (d) There is a dispute of material fact.

All four criteria set for in s. 227.42(1), Stats., must be met for a person to have the right to a hearing. In particular, the attention of an individual or entity requesting a hearing is directed to the requirement to demonstrate that there is a dispute of material fact regarding the basis or bases for the action being taken by the division.

The request shall be sent to:

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