



# CONNECTICUT DEPARTMENT OF BANKING

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**IN THE MATTER OF:** \*  
 \*  
**JAMES D. GRAHAM** \* **CONSENT ORDER**  
**d/b/a CFLA AGENT** \*  
 \*  
 ("James D. Graham") \*  
 \*  
 \*\*\*\*\* \*

**WHEREAS**, the Banking Commissioner ("Commissioner") is charged with the administration of Sections 36a-671 to 36a-671e, inclusive, of the Connecticut General Statutes contained in Part II of Chapter 669 of the Connecticut General Statutes, "Debt Adjusters and Debt Negotiation";

**WHEREAS**, James D. Graham is an individual with a place of business located in Massachusetts;

**WHEREAS**, the Commissioner, through the Consumer Credit Division of the Department of Banking, conducted an investigation, pursuant to Section 36a-17 of the Connecticut General Statutes, into the activities of James D. Graham to determine if he had violated, was violating or was about to violate the provisions of the Connecticut General Statutes within the jurisdiction of the Commissioner;

**WHEREAS**, as a result of such investigation, the Commissioner alleges that James D. Graham engaged and offered to engage in debt negotiation in this state without the required license, in violation of Section 36a-671(b) of the Connecticut General Statutes;

**WHEREAS**, the Commissioner believes that such allegation would support initiation of enforcement proceedings against James D. Graham, including proceedings to issue a cease and desist order against James D. Graham pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, and impose a civil penalty on James D. Graham pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes;

**WHEREAS**, initiation of such enforcement proceedings would constitute a "contested case" within the meaning of Section 4-166(4) of the Connecticut General Statutes;

**WHEREAS**, Section 4-177(c) of the Connecticut General Statutes and Section 36a-1-55(a) of the Regulations of Connecticut State Agencies provide that a contested case may be resolved by consent order, unless precluded by law;

**WHEREAS**, both the Commissioner and James D. Graham acknowledge the possible consequences of formal administrative proceedings, and James D. Graham voluntarily agrees to consent to the entry of the sanctions imposed below without admitting or denying any allegation contained herein and solely for the purpose of obviating the need for formal administrative proceedings concerning the allegation contained herein;

**WHEREAS**, the Commissioner and James D. Graham now desire to resolve the allegation set forth herein;

**WHEREAS**, James D. Graham herein represents that as of August 2013, he ceased and desisted from engaging or offering to engage in debt negotiation in this state with any new Connecticut residents;

**WHEREAS**, James D. Graham herein represents to the Commissioner that he is not currently aware of any additional Connecticut residents who had retained James D. Graham for debt negotiation services since August 2013;

**AND WHEREAS**, James D. Graham, through his execution of this Consent Order, voluntarily agrees to waive his procedural rights, including a right to notice and an opportunity for hearing as it pertains to the allegation set forth herein, and voluntarily waives his right to seek judicial review or otherwise challenge or contest the validity of this Consent Order.

### CONSENT TO ENTRY OF SANCTIONS

**WHEREAS**, James D. Graham, through his execution of this Consent Order, consents to the Commissioner's entry of a Consent Order imposing the following sanctions:

1. James D. Graham shall immediately cease and desist from violating Section 36a-671(b) of the Connecticut General Statutes;
2. James D. Graham shall repay fees in ten (10) installments to the Connecticut resident identified in Exhibit A attached hereto. The first installment of \$150 shall be paid no later than the date James D. Graham executes this Consent Order and additional installments of \$150 shall be paid on a biweekly basis until a total of \$1,500 has been paid. James D. Graham shall provide evidence of such repayments to Carmine Costa, Director, Consumer Credit Division, Department of Banking, 260 Constitution Plaza, Hartford, Connecticut 06103-1800 or carmine.costa@ct.gov.

### CONSENT ORDER

**NOW THEREFORE**, the Commissioner enters the following:

1. The Sanctions set forth above be and are hereby entered;
2. Upon issuance of this Consent Order by the Commissioner, this matter will be resolved and the Commissioner will not take any future enforcement action against James D. Graham based upon the allegation set forth herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against James D. Graham based upon a violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms herein is not being observed or if any representation made by James D. Graham and reflected herein is subsequently discovered to be untrue;
3. Upon issuance of this Consent Order by the Commissioner and so long as James D. Graham complies with the terms of this Consent Order, nothing in the issuance of this Consent Order shall adversely affect the ability of James D. Graham to apply for or obtain a license or renewal licenses under Sections 36a-671 to 36a-671e, inclusive, of the Connecticut General Statutes contained in Part II of Chapter 669 of the Connecticut General Statutes; and
4. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut  
this 30th day of June 2015.  
\_\_\_\_\_/s/\_\_\_\_\_  
Jorge L. Perez  
Banking Commissioner

I, James Graham, state that I have read the foregoing Consent Order; that I know and fully understand its contents; that I agree freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that I voluntarily agree to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

\_\_\_\_\_/s/\_\_\_\_\_  
James D. Graham d/b/a CFLA Agent

State of: Massachusetts

County of: Middlesex

On this the 19th day of June 2015, before me, Hanson Bechat, the undersigned officer, personally appeared James D. Graham, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand.

\_\_\_\_\_/s/\_\_\_\_\_  
Notary Public  
Date Commission Expires: Feb. 26, 2021

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