File No.: 32597/TJP

STATE OF MINNESOTA
COMMISSIONER OF COMMERCE

In the Matter of
McGlynn Marketing, LLC
d/b/a United Credit Consultants
d/b/a Debt Settlement Solutions
Minnesota Credit Service Organization No. 40239236
Debt Settlement Registration No. DS000016

CONSENT ORDER

To: McGlynn Marketing, LLC
d/b/a United Credit Consultants
d/b/a Debt Settlement Solutions
418 Gateway Boulevard
Burnsville, MN 55337

1. Commissioner of Commerce Mike Rothman (hereinafter, the "Commissioner") has advised McGlynn Marketing, LLC d/b/a United Credit Consultants d/b/a Debt Settlement Solutions (hereinafter, "Respondent") that he is prepared to commence formal action pursuant to Minn. Stat. §§ 45.027, 332.59, 332B.05 (2014) and other applicable law, based on allegations that Respondent:

A. engaged in unregistered debt settlement services, despite a consent order prohibiting these activities;

B. utilized a contract containing an arbitration clause which improperly required consumers to waive their right to court action and arbitrate disputes involving credit services;

C. utilized a contract containing an arbitration clause which improperly required consumers to waive their right to a jury trial and arbitrate disputes involving debt settlement services;

D. charged and collected improper fees for debt settlement services;

E. improperly supervised its employees and contractors;

F. demonstrated financial irresponsibility, issued checks without sufficient funds, and failed to timely address consumers' billing complaints;

G. charged and collected fees prior to full performance of all agreed upon credit services; and

H. engaged in dishonest practices, whether such practices were intentional or inadvertent;

in violation of Minn. Stat. §§ 45.027, subd. 7(a)(2), (3), and (4); 332.53; 332.56, subd. 1(1), (3), (4); 332.60; 332A.08(2), (3), and (12); 332A.10, subd. 4(3), (6), and (7); 332A.14(10); 332B.03; 332B.05, subd. 2; 332B.06, subd. 6; 332B.09, subds. 3, 4; 332.B.10(1); and 332B.11, subd. 1(3) (2014).

2. A copy of Respondent's credit services agreement was submitted to the Minnesota Department of Commerce (hereinafter, the "Department") in conjunction with Respondent's credit services registration renewal application.

3. A copy of Respondent's debt settlement services agreement was submitted to the Department in conjunction with Respondent's debt settlement services registration renewal application.

4. Respondent took steps to address certain issues during the Department's investigation and has implemented other suggestions made by the Department, including, but not limited to, the hiring of a Chief Compliance Officer. Respondent is in the process of submitting the newest version of its credit services agreement to the Department.

5. Respondent acknowledges that it has been advised of its right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing. Respondent hereby expressly waives those rights. Respondent further acknowledges that it has been represented by legal counsel throughout these proceedings.

6. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2014) and Minn. R. 1400.5900 (2013).

7. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. ch. 45, 332, 332A, and 332B (2014) as follows:

A. Respondent's credit services organization registration (#40239236) and debt settlement services registration (#DS000016) are hereby revoked; however, these revocations are stayed so long as Respondent fully complies with the terms of this Order and engages in no further violation of any law, rule, or order related to the duties entrusted to the Commissioner.

B. Respondent shall pay a $150,000 civil penalty to the State of Minnesota; however, $100,000 of the civil penalty is stayed so long as Respondent fully complies with the terms of this Order and engages in no further violation of any law, rule, or order related to the duties entrusted to the Commissioner.

C. The portion of the civil penalty that is not stayed shall be paid as follows: Respondent shall pay $5,000 to the State of Minnesota on or before October 2, 2015 and shall pay the balance in full on or before April 1, 2016. If Respondent fails to abide by the payment terms for the portion of the civil penalty that is not stayed, the Commissioner may file and enforce any unpaid amount as a judgment against Respondent in district court without further notice or additional proceedings pursuant to Minn. Stat. § 16D.17 (2014). Respondent is hereby

notified that simply interest will accrue on any unpaid amount pursuant to Minn. Stat. § 16D.13 (2014).

D. If the Commissioner determines that Respondent has violated the terms of this Order, including failure to pay the portion of the civil penalty that is not stayed, or any law, rule, or order related to the duties entrusted to the Commissioner, the stays on the revocations and civil penalty shall be lifted, in addition to any further penalty the Commissioner deems appropriate for the new violation(s). In the event the Commissioner seeks to lift the stays on the revocations and civil penalty, Respondent may request a hearing to challenge the factual basis for lifting the stays, but may not challenge the revocations or civil penalty. If Respondent does not violate this Order or commit any further violations of any law, rule, or order related to the duties entrusted to the Commissioner within three (3) years of the effective date of this Order, the stayed revocations and civil penalty shall be vacated.

E. Respondent shall cease and desist from issuing checks with insufficient funds.

F. Respondent shall desist from using the logo of the Department without express, written permission from the Commissioner.

G. Respondent shall cease and desist from including any waiver of the right to a jury trial or mandatory arbitration clause in its credit service agreements.

H. Respondent shall cease and desist from including any waiver of the right to a jury trial or mandatory arbitration clause in its debt settlement agreements.

I. Respondent shall comply with Minn. Stat. § 332.56, subd. 1(1) (2014).

J. Respondent shall comply with all terms of the previous orders entered into between it and the Commissioner.

K. Respondent shall develop and submit to the Commissioner a regulatory compliance plan to ensure compliance with Minnesota law and this Order within ninety (90) days of the effective date of this Order.

L. Respondent shall submit data to the Commissioner detailing its services offered, enrollments, service charges, consumer complaints, and cancellations on a quarterly basis for two (2) years from the effective date of this Order.

M. Respondent shall pay all investigative costs associated with the investigation of its conduct in this matter.

N. Subject to the terms of this Order, Respondent's credit services organization registration (#40239236) is hereby renewed until June 30, 2016.

This Order shall be effective upon a signature on behalf of the Commissioner.

Dated: 10-1-2015

MIKE ROTHMAN
Commissioner

By: _____

MARTIN FLEISCHHACKER
Assistant Commissioner of Enforcement
85 Seventh Place East, Suite 500
St. Paul, MN 55101
(651) 539-1500

CONSENT TO ENTRY OF ORDER

The undersigned, acting on behalf of McGlynn Marketing, LLC d/b/a United Credit Consultants d/b/a Debt Settlement Solutions (hereinafter, "Respondent"), states that he has read the foregoing Order; that he knows and fully understands its contents and effect; that Respondent has been advised of its right to a hearing in this matter and waives that right; that Respondent has been represented by legal counsel in this matter; and that he consents to entry of this Order by the Commissioner of Commerce. It is further understood that this Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either express or implied.

McGlynn Marketing, LLC
d/b/a United Credit Consultants
d/b/a Debt Settlement Solutions

By: _____

Its: CEO

STATE OF MINNESOTA

COUNTY OF Dakota

Signed or attested before me on 10/01/2015 (date)

(stamp)

YANNETA TA CHHOEUNG
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2017

_____
(Signature of notary officer)

Notary Public

Title (and Rank)

My Commission expires: Jan. 31, 2017