

1 WILLIAM P. WOOD
California Corporations Commissioner
2 VIRGINIA J. DUNLAP (CA BAR NO. 142221)
Deputy Commissioner
3 ALAN S. WEINGER (CA BAR NO. 86717)
Supervising Counsel
4 DEPARTMENT OF CORPORATIONS
320 West 4th St. Suite 750
5 Los Angeles, California 90013-2344
Telephone: (213) 575-6205

6 Attorneys for Complainant
7

8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

10 In the Matter of the DESIST AND REFRAIN)
ORDER and CONSENT ORDER Issued To:)
11 InCharge Institute of America, Inc. doing)
12 business as InCharge Institute and InCharge;)
Profina Debt Solutions now known as InCharge) CONSENT ORDER
13 Debt Solutions; Concord Credit La Fundacion)
Hispana De Credito; and National Credit)
14 Counseling Services doing business as NCCS)
15 1768 Park Center Drive, Suite 400)
Orlando, Florida 32835)
16 and 2101 Park Center Drive, Suite 320)
Orlando, Florida 32853)

17)
18 Respondents.)
19)
20)

21 On December 16, 2002, the California Corporations Commissioner issued an order to
22 InCharge Institute of America, Inc. doing business as InCharge Institute and InCharge, Profina Debt
23 Solutions now known as InCharge Debt Solutions, Concord Credit La Fundacion Hispana De
24 Credito, and National Credit Counseling Services doing business as NCCS (hereinafter
25 “Respondents”) finding that they had engaged in violations of the Check Sellers, Bill Payers and
26 Proraters Law and ordering them to desist and refrain from further violations of Financial Code
27 section 12200.
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2 The California Corporations Commissioner and Respondents do hereby agree to
3 this Consent Order in settlement of this matter. This Consent Order is intended to resolve all factual
4 and legal issues raised by the Desist and Refrain Order issued on December 16, 2002, without the
5 necessity of holding an administrative hearing to determine the validity of the Desist and Refrain
6 Order.
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8 Respondents neither admit nor deny the findings set forth in the desist and refrain order dated
9 December 16, 2002, which are hereby incorporated by reference into this Consent Order.
10

11 **CONSENT ORDER**

12 Based upon the foregoing,

13 **IT IS AGREED AND ORDERED** that Respondents will desist and refrain from engaging in
14 the business as a check seller, bill payer or proater unless and until they are licensed or exempt.

15 It is further agreed that Respondents upon the signing of this agreement shall pay to the
16 Department of Corporations its investigative costs of \$130,000.00. Upon receipt of the payment, the
17 Department agrees to close its investigation of unlicensed activity by Respondents prior to January 1,
18 2003.
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20 It is further agreed that the Commissioner shall indicate on the California Department of
21 Corporation's web site that the Desist and Refrain Order issued on December 16, 2002 has been
22 vacated. The vacated Order however is a public document and will remain on the web site with that
23 notation. The Commissioner shall further post this Consent Order on the web site.
24

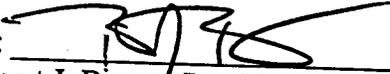
25 It is further agreed that the Commissioner has jurisdiction to enter this Consent Order.
26 Respondents agree that the jurisdiction extends to this proceeding only.

27 In consideration of this Consent Order, Respondents waive their right to a hearing on this
28

1 matter and to judicial review of this matter pursuant to Code of Civil Procedure section 1094.5. The
2 Commissioner hereby vacates the desist and refrain order dated December 16, 2002 as to
3 Respondents except to the extent that its findings have been incorporated by reference into this
4 Consent Order.
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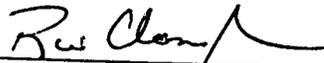
6 Dated: November 10, 2004

InCharge Institute of America, Inc.,
d/b/a InCharge Institute and InCharge;

7 By: 
8 Robert J. Barrett, President

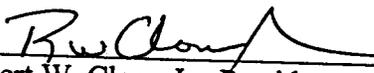
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10 Dated: November 10, 2004

Profina Debt Solutions, n/k/a InCharge
Debt Solutions, d/b/a Concord Credit La Fundacion
Hispana De Credito

11 By: 
12 Robert W. Closs, Jr., President

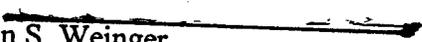
13
14 Dated: November 10, 2004

National Credit Counseling Services, d/b/a NCCS

15 By: 
16 Robert W. Closs, Jr., President

17
18 Dated: November 15, 2004

19 WILLIAM P. WOOD
20 California Corporations Commissioner

21 By: 
22 Alan S. Weinger
23 Supervising Counsel
24 Enforcement and Legal Services Division
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