



State of New Hampshire

Banking Department

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www.banking.nh.gov

DEBT ADJUSTER FORM 399-D-AR

2023 ANNUAL REPORT

GENERAL INSTRUCTIONS

1. Information provided in this form is aggregated with similar license types and an analysis is published by the New Hampshire Bank Commissioner in the Annual Report to the Governor and Executive Council. The accuracy of the information is also important because it will be used by the New Hampshire Banking Department ("the department") if assessment calculations are needed.
2. A Debt Adjuster who surrenders its license during the 2023 calendar year must file this annual report form, along with a NH License Surrender Form, within 15 calendar days from the date the company ceases business in New Hampshire.
3. Debt Adjusters who continue to be licensed in accordance with NH RSA 399-D or whose license expired on December 31, 2023 and who were licensed during any period of time during 2023 must complete and file this report with the department on or before March 31st of the ensuing year.
4. All items on the form must be completed; do not leave any blanks. Reports with blanks are incomplete and will be deemed as "not filed" for purposes of any penalty. If an item is not applicable to the type of business conducted by the licensee, enter "N/A", "none", "O", or "zero".
5. **SAVE YOUR CALCULATIONS.** Work papers used to calculate and compile the information required by this form must be retained and made available upon request or when the licensee is examined by the department. It is not sufficient to try to re-create the work papers at examination.
6. This report must be filed if a license was held for a portion of the reporting year and must be filed even if no contracts were entered into. **The report, signed under penalty of unsworn falsification pursuant to NH RSA 641:3, must be uploaded to the NMLS document upload section and filed under Additional Documents no later than March 31, 2024.** Failure to file the annual report or late filing of the annual report results in a statutory penalty of \$25 per day for each day the report is overdue.
7. No fee is required to file this annual report.
8. Round dollar amounts to the nearest whole number.
9. If any information reported on the annual report is discovered to be inaccurate, the entity must file an amended report immediately. Amended annual reports must be uploaded to the NMLS document upload section and filed under Additional Documents.

10. Definitions:

"**Debt adjustment**" means:

- (i) providing debt management advice or counseling to consumers for direct or indirect compensation; or
- (ii) creating debt adjustment contracts for debtors for direct or indirect compensation; or
- (iii) negotiating with one or more creditors on behalf of a debtor for direct or indirect compensation; or
- (iv) receiving, for direct or indirect compensation as an agent of a debtor, monetary value or evidences thereof for the purpose of distributing, or supervising, coordinating, or controlling the distribution of, such money or evidences thereof among creditors in full or partial payment of obligations of the debtor.
- (v) A person otherwise engaging in the debt adjustment business including but not limited to acting upon outstanding debt adjustment contracts is providing debt adjustment within the intent of this chapter; or
- (vi) Any person that serves as an intermediary between a debtor and one or more creditors of the debtor for the purpose of obtaining concessions.

"**Gross Revenue**" means all revenue from whatever source received by the licensee on NH debt adjustment business before any expenses are deducted. This includes both direct and indirect compensation as well as all other contracts, services, and products sold to NH consumers. Indirect compensation also includes fair share and any other contributions from creditors.

NH debt adjustment contract” means a written agreement between a debt adjuster and a debtor to provide one or more debt adjustment services including but not limited to a debt management plan, debt repayment plan, or debt settlement plan., services and products sold by the licensee from all business locations in New Hampshire and also includes debt adjustment contracts, services and products provided at any other location or method, including the Internet, to persons located in NH, during calendar year 2023.

“Debt management plan” means a proposed contract which indicates that:

- (a) Regular, periodic payments will be made to a creditor by or on behalf of a debtor to whom debt adjustment services are being provided; and
- (b) The debtor’s creditors will reduce financing charges or fees for late payments, default or delinquency.

“Debt repayment plan” means a proposed payment schedule created by a debt adjuster to reduce outstanding debt with one or more creditors over a fixed period of time.

“Debt settlement plan” means a proposed contract which indicates that:

- (a) A lump sum payment will be made to a creditor by or on behalf of a debtor to whom debt adjustment services are being provided; and
- (b) The debtor’s creditors will settle the debt for less than the principal amount of the debt.

SPECIFIC SCHEDULE INSTRUCTIONS

SCHEDULE 1:

1. Complete Schedule 1 for all business conducted during 2023.
2. Include debt management, debt settlement and debt repayment business made by the licensee from all business locations in New Hampshire regardless of where the consumer is located.
3. Include debt management, debt settlement and debt repayment business made from any location or method, including the Internet, with consumers located in New Hampshire.
4. “Number of NH contracts” refers to only new debt management, debt settlement and debt repayment plans or contracts during the year.
5. “Total Dollar Value of NH contracts” refers to the total amount of indebtedness to be paid through the contract.
6. Include gross revenue from fees and charges from clients as well as monies earned from creditors or other 3rd parties.
7. The bottom section of the Schedule is for outstanding business (active debt management, debt settlement and debt repayment plans or contracts) at the end of the year.
8. Include in the “outstanding” business ANY contract that remains outstanding, not just 2023 contracts that remain outstanding.
9. The “Total Dollar Value” of outstanding contracts would identify the amount of indebtedness that remains unpaid on the accounts identified in the contract.
10. For “Debt Settlement Business” include all activity from both lump sum settlements and term settlements with creditors.

SCHEDULE 2:

1. Include gross revenue for fees earning from the services listed. Only report gross revenue received in 2023 from NH consumers.

DEBT ADJUSTER
2023 NH ANNUAL REPORT FORM 399-D-AR
 Reporting Period: January 1, 2023 through December 31, 2023

Legal name of licensee:

Trade Name (if applicable):

Licensee's federal tax ID number:

2023 NH principal office license number:

Contact person regarding this report (this must be the company's duly authorized person who affirms the accuracy, signs and files this report)

Name:

Title:

Communications:

(Tel. no.)

(Fax no.)

(Cell)

(E-mail Address)

SCHEDULE 1: DEBT ADJUSTMENT BUSINESS CONDUCTED DURING 2023:

(Round dollar amounts to the nearest whole number)

Category	Total Number of NH Contracts	Total Dollar Value of NH Contracts	Gross Revenue from NH Debt Adjustment Business (include revenue from 3 rd parties such as creditors)
2023 NH Debt Management Business		\$	\$
2023 NH Debt Settlement Business		\$	\$
2023 NH Debt Repayment Business		\$	\$
NH Debt Management contracts outstanding on December 31, 2023		\$	
NH Debt Settlement contracts outstanding on December 31, 2023		\$	
NH Debt Repayment contracts outstanding on December 31, 2023		\$	

SCHEDULE 2: OTHER DEBT ADJUSTMENT BUSINESS:(Round dollar amounts to the nearest whole number)

Category	Gross Revenue from activity
2023 NH Student Loan Counseling	\$
2023 Short Sale Negotiation/Counseling	\$
2023 NH Bankruptcy Counseling	\$

AFFIRMATION

The information provided in this report reflects the total amount of debt adjustment business conducted by the licensee during 2023 from all business locations in New Hampshire and from any other location or method, including the Internet, with consumers located in New Hampshire.

I subscribe and affirm, under penalty of perjury and under penalty of Unsworn Falsification pursuant to NH RSA 641:3, that the statements made in this report have been examined by me and to the best of my knowledge and belief are true, correct and complete, and that I am duly authorized to submit this report and execute this affirmation. I understand that any misrepresentation made to the department may result in denial or revocation of the license to which this form relates.

I acknowledge on behalf of the licensee that the licensee will retain work papers and other documents used in the preparation of this report and that the licensee will make such records available to the department upon request or examination.

Date: _____ For _____
(Print or type Licensee's name)

By _____
(Print or type name of the authorized signatory)

Title

Signature

(Signed under penalty of Unsworn Falsification pursuant to NH RSA 641:3)