

1 **FINDINGS OF FACT**

2 **I. Respondent**

3 1. **CONSUMER SERVICES** maintains business addresses at 131 D.W. Highway, #456, Nashua, NH,
4 03060, and 10 Mount Vernon St., #237, Winchester, MA 01890. Consumer Services is the seller of an
5 opportunity involving payment for in-home mail processing.

6 **II. Nature of the Opportunity**

7 2. In April of 2000, a staff member with the Securities Division responded to an advertisement in the
8 Bellingham Herald’s classified section, dated March 19, 2000, which read as follows:

9 **Home Mailers Needed**
10 Earn \$635 weekly mailing
11 letters. Easy! Limited
Open Positions
Call 1-800-652-8726
Ext 2025 24 Hrs

12 The staff member phoned the number listed in the advertisement, and left a voice message asking for promotional
13 materials relating to the Consumer Services mail processing opportunity to be mailed to him.

14 3. The staff member subsequently received materials from Consumer Services through the U.S. mail,
15 including a promotional flyer and “Quick Response Discount Order Form” regarding the opportunity. The flyer
16 stated, in part:

17 **Weekly Paychecks Mailed to You for**
18 **Sums of \$635 or More for**
Processing Mail
19 **From the comfort of your own home! . . .**
20 **Consumer Services needs people right away to do envelope work from home . . .**
You can get started making money the minute your package arrives.

21 4. The flyer provided that offerees were required to send to Respondent a remittance fee of \$34.95 for
22 a booklet entitled “The Official Home Employment Guide” and to apply to be a home mailer with Consumer
23 Services. The flyer also provided the following:

To offer you **The Official Home Employment Guide** on anything but a guaranteed basis would be unfair. Therefore, you automatically have a **30-day Money Back Guarantee** to assure the return of your full purchase price if your are not satisfied.

5. No other disclosure document containing material information regarding the mail processing opportunity and Consumer Services accompanied or was referenced in the flyer, including, but not limited to, a current financial statement of the seller.

6. Consumer Services is continuing to advertise its mail processing opportunity in the state of Washington.

III. Registration Status

7. Consumer Services is not currently registered to sell its business opportunities in the state of Washington and has not previously been so registered.

Based upon the above Findings of Fact, the following Conclusions of Law are made:

CONCLUSIONS OF LAW

I. Business Opportunity

The offer and/or sale of the mail processing opportunity as described above constitutes the offer and/or sale of a business opportunity as defined in RCW 19.110.020(1).

II. Registration of Business Opportunity

The offer and/or sale of said business opportunity is in violation of RCW 19.110.050(1) because it had not been registered with the Administrator of Securities prior to the advertising, soliciting, or making of any offer and/or sale of the business opportunity in this state.

III. Disclosure/Fraud

The offer and/or sale of said business opportunity was made in violation of RCW 19.110.070 and RCW 19.110.120, the disclosure document and antifraud provisions of the Business Opportunity Fraud Act, respectively.

1 Respondent violated those provisions by failing to provide prospective purchasers a disclosure document
2 containing complete material information regarding the business opportunity, including but not limited to a
3 financial statement of the seller.

4 **ORDER**

5 Based upon the above Findings of Fact and Conclusions of Law, it is hereby:

6 ORDERED that Consumer Services cease and desist from violating RCW 19.110.050(1), the registration
7 provision of the Business Opportunity Fraud Act.

8 It is further ORDERED that Consumer Services cease and desist from violating RCW 19.110.070 and RCW
9 19.110.120, the disclosure document and antifraud provisions of the Business Opportunity Fraud Act.

10 This Order is entered pursuant to RCW 19.110.150 and is subject to the provisions of ch. 34.05 RCW.

11 **WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.**

12 DATED this 11th day of October, 2001.

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17 DEBORAH R. BORTNER
18 Securities Administrator

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20 Approved By:

Presented by:

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23 Michael E. Stevenson
24 Chief of Enforcement

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26 Chad Standifer
27 Staff Attorney