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IN THE MATTER OF: \*  
\*  
FRESH START FUNDING, LLC \*  
d/b/a OPEN WALLET \*  
NMLS # 1864357 \*  
\*  
("Fresh Start") \*  
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**CONSENT ORDER**

**WHEREAS**, the Banking Commissioner ("Commissioner") is charged with the administration of Part III of Chapter 668, Sections 36a-555 to 36a-573, inclusive, of the Connecticut General Statutes, "Small Loan Lending and Related Activities," and the regulations promulgated thereunder, Sections 36a-570-1 to 36a-570-17, inclusive, of the Regulations of Connecticut State Agencies;

**WHEREAS**, Fresh Start is an Arizona limited liability company with its main office located at 1805 N Scottsdale Road, Suite 100, Tempe, Arizona, which has never been licensed as a small loan company in Connecticut;

**WHEREAS**, the Commissioner, through the Consumer Credit Division ("Division") of the Department of Banking, conducted an investigation pursuant to Section 36a-17 of the Connecticut General Statutes, into the activities of Fresh Start to determine if it had violated, was violating or was about to violate the provisions of the Connecticut General Statutes and Regulations of Connecticut State Agencies within the jurisdiction of the Commissioner;

**WHEREAS**, as a result of such investigation, the Commissioner alleges that between August 2021 and the present, Fresh Start facilitated consumer financing of legal fees by extending lines of credit to law firms and receiving payments on loans to Connecticut borrowers for such legal fees without a small loan

company license, in violation of subdivision (4) of Section 36a-556(a) of the Connecticut General Statutes, in effect at such time;

**WHEREAS**, the Commissioner believes that such allegation would support initiation of enforcement proceedings against Fresh Start, including, without limitation, proceedings to issue an order to make restitution against Fresh Start pursuant to Sections 36a-570(b) and 36a-50(c) of the Connecticut General Statutes, an order to cease and desist against Fresh Start pursuant to Sections 36a-570(b) and 36a-52(a) of the Connecticut General Statutes, and an order imposing a civil penalty of up to One Hundred Thousand Dollars (\$100,000) per violation upon Fresh Start pursuant to Sections 36a-570(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. 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**, the Commissioner and Fresh Start acknowledge the possible consequences of formal administrative proceedings, and Fresh Start voluntarily agrees to consent to the entry of the sanctions imposed below without admitting or denying the allegation set forth herein, and solely for the purpose of obviating the need for formal administrative proceedings concerning the allegation set forth herein;

**WHEREAS**, the Commissioner and Fresh Start now desire to resolve the matters set forth herein;

**WHEREAS**, Fresh Start represents that since September 2023, it has ceased providing new financing to law firms in connection with accounts of Connecticut consumers;

**WHEREAS**, Fresh Start represents that, effective immediately, it will limit the amount of finance charges it receives or collects on any small loan made to a Connecticut borrower to 12% APR;

**WHEREAS**, Fresh Start specifically assures the Commissioner that the violation alleged herein shall not occur in the future;

**WHEREAS**, Fresh Start has provided financial statements to the Commissioner demonstrating its inability to pay a civil penalty;

**WHEREAS**, Fresh Start acknowledges that this Consent Order is a public record and is a reportable event for purposes of the regulatory disclosure questions on the Nationwide Multistate Licensing System and Registry (“NMLS”), as applicable;

**WHEREAS**, Fresh Start acknowledges that it has had the opportunity to consult with and be represented by independent counsel in negotiating and reviewing this Consent Order and executes this Consent Order freely;

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

#### **CONSENT TO ENTRY OF SANCTIONS**

**WHEREAS**, Fresh Start, through its execution of this Consent Order, consents to the Commissioner’s entry of a Consent Order imposing the following sanctions:

1. Fresh Start shall cease and desist from violating Section 36a-556(a) of the Connecticut General Statutes, including, but not limited to, receiving payments of principal and interest on small loans made to Connecticut borrowers without having first obtained a small loan license;
2. Based on the financial statements submitted to the Division, the imposition of any civil penalty that otherwise would have been imposed against Fresh Start pursuant to Sections 36a-570(b) and 36a-50(a) of the Connecticut General Statutes shall be temporarily stayed for three years from the date this Consent Order is issued by the Commissioner, provided that such stay shall no longer be in force and effect, and Fresh Start shall pay a civil penalty of Ten Thousand Dollars (\$10,000), if the Commissioner ascertains at any time that (a) Fresh Start is able to pay a civil penalty; or (b) Fresh Start failed to disclose any material asset, materially misstated the value of any asset or made any other material misstatement or omission in its financial statements. Fresh Start, through its execution of this Consent Order, knowingly, willfully, and voluntarily waives its right to notice and an administrative hearing in conjunction with the implementation of this paragraph; provided, however, that, prior to the lifting of the stay pursuant to this paragraph, the Commissioner shall provide Fresh Start with notice of the required payment of the civil penalty and an informal opportunity to demonstrate its inability to pay. Any such civil penalty shall be in addition to any other remedies that the Commissioner may seek for a violation of this Consent Order by Fresh Start. Fresh Start shall provide updates to the Division by submitting annual financial statements no later than July 1, 2026, July 1, 2027 and July 1, 2028. Absent any action by the Commissioner to lift the stay, Fresh Start’s obligation to pay the stayed civil penalty shall be vacated three years from the date this Consent Order is issued by the Commissioner without any further action or notice by the Commissioner; and

3. No later than the date this Consent Order is executed by Fresh Start, it shall remit to the Department of Banking by electronic funds transfer, cashier's check, certified check or money order made payable to "Treasurer, State of Connecticut", the sum of One Thousand Two Hundred Dollars (\$1,200) as payment for back licensing fees.

### **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 Fresh Start 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 Fresh Start 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 Fresh Start and reflected herein is subsequently discovered to be untrue;
3. Fresh Start shall not take any action or make or permit to be made any public statement, including in regulatory filings, any proceeding in any forum or otherwise, denying, directly or indirectly, any allegation referenced in this Consent Order or create the impression that this Consent Order is without factual basis. Except as specifically provided herein, Fresh Start shall not take any position in any proceeding brought by or on behalf of the Commissioner, or to which the Commissioner is a party, that is inconsistent with any part of this Consent Order. Nothing in this provision affects Fresh Start's (i) testimonial obligations, or (ii) right to take any legal or factual position that may contradict an allegation in this Consent Order in litigation or other legal proceedings in which the Commissioner is not a party;
4. Subject to the foregoing, and so long as this Consent Order is promptly disclosed by Fresh Start and its control persons on NMLS, as applicable, nothing in the issuance of this Consent Order shall adversely affect the ability of Fresh Start to apply for or obtain initial licenses or renewal licenses under Part III of Chapter 668, Sections 36a-555 *et seq.*, of the Connecticut General Statutes, provided that all applicable legal requirements for any such license are satisfied and the terms of this Consent Order are being followed;
5. This Consent Order shall be binding upon Fresh Start and its successors and assigns; and
6. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut  
this 9th day of September 2025.

/s/  
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Jorge L. Perez  
Banking Commissioner

I, Daniel Garrison, state on behalf of Fresh Start Funding, LLC d/b/a Open Wallet that I have read the foregoing Consent Order; that I know and fully understand its contents; that I am authorized to execute this Consent Order on behalf of Fresh Start Funding, LLC d/b/a Open Wallet; that Fresh Start Funding, LLC d/b/a Open Wallet agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that Fresh Start Funding, LLC d/b/a Open Wallet voluntarily agrees to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

By: /s/  
Name: Daniel Garrison  
Title: CEO  
Fresh Start Funding, LLC d/b/a Open Wallet

State of: Arizona

County of: Maricopa

On this the 3rd day of September 2025, before me, Margaret Lyman, the undersigned officer, personally appeared Daniel Garrison, who acknowledged himself/herself to be the CEO of Fresh Start Funding, LLC d/b/a Open Wallet, a manager managed limited liability company, and that he/she as such manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself/herself as manager.

In witness whereof I hereunto set my hand.

/s/  
Notary Public  
Date Commission Expires July 31, 2028