

ENTERED  
MAR 28 2017  
8:00AM AEE  
COMMISSIONERS OFFICE

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2017-AH-00020

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

BUCKEYE CHECK CASHING OF KENTUCKY, INC.  
d/b/a CHECK\$MART

RESPONDENT

\* \* \* \* \*

1. The Department of Financial Institutions ("DFI") is responsible for regulating and licensing entities engaged in the business of cashing checks and accepting deferred deposit transactions in accordance with the provisions set forth in KRS Chapter 286.9.

2. Buckeye Check Cashing of Kentucky, Inc. d/b/a Check\$mart ("Respondent") is authorized to do business in Kentucky as a deferred deposit and check cashing licensee pursuant to KRS Chapter 286.9, with an office located at 3800 Alexandria Pike, Cold Spring, KY 41076, License Number 177-2. (ICIE #385684)

3. DFI conducted a routine examination of Respondent on December 6, 2016. During the examination, DFI discovered that Respondent improperly entered a customer's social security number in the Veritec database. The customer opened another transaction causing the customer to have an aggregate amount greater than \$500, the limit under KRS Chapter 286.9. These acts are in violation of KRS 286.9-100(9) and KRS 286.9-140(1).

4. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, the imposition of fines in an amount up to \$5,000 per violation. See KRS 286.9-110; 286.9-991.

5. In this case, DFI assessed a fine against Respondent in the amount of two thousand dollars (\$2,000.00) for violating KRS 286.9-100(9) and KRS 286.9-140(1).

6. In the interest of economically and efficiently resolving the violation(s) described herein, DFI and Respondent agree as follows:

a. Respondent agrees to a fine assessment in the amount of two thousand dollars (\$2,000.00) for the violation(s) described herein;

b. Respondent shall pay the total fine assessed herein of two thousand dollars (\$2,000), which shall be due when Respondent signs and returns the Agreed Order. The payment shall be in the form of a certified check or money order made payable to "Kentucky State Treasurer" and mailed to the Department of Financial Institutions, Attn: Non-Depository Division, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601;

c. Respondent shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.9.

7. Respondent waives its right to demand a hearing at which it would be entitled to legal representation, to confront and cross-examine witnesses, and to present evidence on its own behalf, or to otherwise appeal or set aside this Order.


8. Respondent consents to and acknowledges the jurisdiction of DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

9. In consideration of execution of this Agreed Order, each party hereto for itself, and for its successors and assigns, hereby releases and forever discharges the other party, and each of their members, agents, and employees in their individual capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that either party ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this settlement or its administration.

10. By signing below, the parties acknowledge they have read the foregoing Agreed Order, know and fully understand its contents, and that they are authorized to enter into and execute this Agreed Order and legally bind their respective parties.

11. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 27 day of March, 2017.

  
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CHARLES A. VICE  
COMMISSIONER



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Agreed Order was sent on this 28  
day of March, 2017, by certified mail, return receipt requested, to the  
following:

Bridgette C. Roman, General Counsel  
Buckeye Check Cashing of Kentucky, Inc.  
d/b/a Check\$mart  
7001 Post Road, Suite 200  
Dublin, Ohio 43017

And by hand-delivery to:

Hon. Gary W. Adkins  
Kentucky Department of Financial Institutions  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601



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Allison Hiles  
Office of the Commissioner  
Kentucky Department of Financial Institutions  
1025 Capital Center Drive, Suite 200  
Frankfort, KY 40601