

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2016-AH-00096

ENTERED  
NOV 10 2016  
1:30pm AEH  
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

CASH EXPRESS, LLC  
(License #: CC6858)

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. Cash Express, LLC (“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 1713 B Scottsville Road, Bowling Green, Kentucky 42104, with Deferred Deposit License #: CC6858 (ICIE #: 373477).

3. DFI conducted a routine examination of Respondent on July 12, 2016. During the examination, the DFI discovered that Respondent entered into a deferred deposit agreement on July 1, 2016 and Respondent failed to have the customer execute the written customer agreement, as required by KRS 286.9-100(13).

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

5. In this case, the DFI assessed a civil penalty against Respondent in the amount of **One Thousand Dollars (\$1,000.00)** for the above-described violation.

6. In the interest of economically and efficiently resolving the violation(s) described herein, and without Respondent admitting or denying the statements of fact and legal conclusions herein, DFI and Respondent agree as follows:

a. Respondent agrees to a civil penalty assessment in the amount of **One Thousand Dollars (\$1,000.00)** for the violation(s) described herein;

b. Respondent agrees to and shall pay the total civil penalty assessed herein of **One Thousand Dollars (\$1,000.00)**, which shall be due upon entry of 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 - Order, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601;**

c. Respondent agrees to make restitution, by check drawn on the Respondent’s account, to the customer by refunding the service fees on the transaction that created the underlying violation and Respondent agrees to maintain records – consistent with KRS 286.9-074 – that the refund check was issued to the customer and was processed for payment by the customer; and

d. 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.

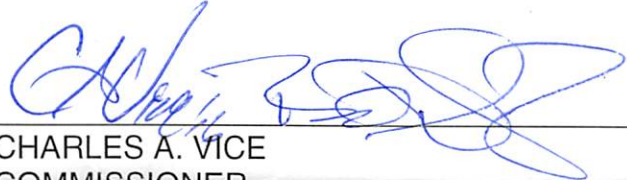
8. Respondent consents to and acknowledges the jurisdiction of DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

9. In consideration of execution of this Agreed Order, Respondent for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, DFI, Office of Legal Services, 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 Respondent 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, Respondent acknowledges it has read the foregoing Agreed Order, knows and fully understands its contents, and that the individual signing on behalf of Respondent is authorized to enter into and execute this Agreed Order and legally bind Respondent.

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

IT IS SO ORDERED on this the 11 day of November, 2016.



A handwritten signature in blue ink, appearing to read 'Charles A. Vice', is written over a horizontal line. The signature is stylized and cursive.

CHARLES A. VICE  
COMMISSIONER

**Consented to:**

This 10<sup>th</sup> day of November, 2016.

Tammy R. Scruggs  
Tammy Scruggs, Director  
Division of Non-Depository Institutions  
Department of Financial Institutions

This 1<sup>st</sup> day of November, 2016.

Jeff Olson  
Authorized Representative  
Cash Express, LLC  
Deferred Deposit License #: CC6858

**ACKNOWLEDGEMENT**

STATE OF Tennessee )  
  )  
COUNTY OF Putnam  )

On this the 1<sup>st</sup> day of November, 2016, before me Rhonda Cole, the undersigned, Jeff Olson, did personally appear and acknowledge himself/herself to be the authorized representative of **Cash Express, LLC, License #: CC6858**, and that he/she, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 12/20/16



Rhonda M. Cole  
Notary Public

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 10 day of November, 2016, by certified mail, return receipt requested, to:

**Jeff Olson  
Cash Express, LLC  
263 West Spring Street  
Cookeville, TN 38501**

And by Hand-Delivery to: \_\_\_\_\_

Hon. Tiffany J. Bowman  
1025 Capital Center Drive, Suite 200  
Frankfort, KY 40601  
Attorney for the Kentucky Department of Financial Institutions

Kentucky Department of Financial Institutions

Name: William E. Hill

Title: Executive Staff Advisor