

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
ADMINISTRATIVE AGENCY ACTION NO. 2012-AH-0040



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**AGREED ORDER**

CASH IN HAND, INC.

RESPONDENT

**STATEMENT OF FACTS**

1. The Department of Financial Institutions ("DFI") is responsible for regulating deferred deposit service businesses doing business in Kentucky in accordance with the provisions of KRS Chapter 286.9-010 et. seq. (the "Act").

2. Cash In Hand, Inc. ("Cash in Hand") has a store in Nicholasville, KY (license #16011).

3. On January 10, 2012, Cash In Hand informed the DFI that an employee at its Nicholasville store had failed to properly submit certain customer transactions to the statewide database.

4. Upon further examination, the DFI discovered that as a result of its employee's failure to properly submit transactions to the database, multiple customers of Cash in Hand were able to obtain deferred deposit loan proceeds in excess of \$500.

### **STATUTORY AUTHORITY**

5. Pursuant to KRS 286.9-140(1), a licensee shall accurately and promptly submit transaction data in the database prior to entering into a deferred deposit transaction.

6. Pursuant to KRS 286.9-991, the commissioner may assess a fine of not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) per violation, "plus the state's costs and expenses for the examination, investigation, and prosecution of the matter, including reasonable attorney's fees and court costs" against any person that violates any provision of the Act or accompanying regulations.

### **LEGAL CONCLUSIONS**

7. Cash In Hand violated KRS 286.9-140(1) by performing the acts set forth in paragraph four (4).

### **AGREEMENT**

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

a. Cash In Hand agrees to a fine assessment in the amount of three thousand dollars (\$3,000.00) for the violation(s) described herein. 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: Simon Berry, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601.

9. Cash In Hand 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 behalf, or to otherwise appeal or set aside this Order.

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

11. In consideration of the execution of this Agreed Order, Cash In Hand for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, the 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 Cash In Hand 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.

12. 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.

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

IT IS SO ORDERED on this the 20<sup>th</sup> day of April, 201~~1~~<sup>2</sup>.

  
 \_\_\_\_\_  
 CHARLES A. VICE  
 COMMISSIONER

**Consented to:**

This 17 day of April, 2012

This 9<sup>th</sup> day of April, 2012



Norman C. thompson, Director  
Division of Nondepository Institutions  
Department of Financial Institutions

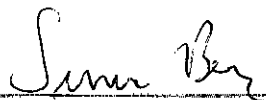


Cash In Hand, Inc.  
By: Jamie Dotson  
Its: CEO

**Certificate of Service**

I hereby certify that a copy of the foregoing **Agreed Order** was sent by certified mail return receipt requested on this the 2<sup>3</sup> day of April, 2012, to the following:

Cash In Hand, Inc.  
Attn: Jamie Dotson  
PO Box 2181  
Williamson, WV 25661



Simon Berry  
Department of Financial Institutions  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601  
(502) 573-3390 Ext. 232  
(502) 573-2183 (facsimile)