ENTERED
JUL 01 2015
8:58 a.m.
COMMISSIONERS OFFICE

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2015-AH-00103

DEPARTMENT OF FINANCIAL INSTITUTIONS COMPLAINANT

vs. **AGREED ORDER**

VAN DYK MORTGAGE CORPORATION (MC82923) RESPONDENT

* * * * * * * * * * * * * *

1. The Department of Financial Institutions ("DFI") is responsible for regulating and licensing entities engaged in mortgage brokering, origination, and processing in accordance with the provisions set forth in KRS Chapter 286.8.

2. Van Dyk Mortgage Corporation ("Respondent") is authorized to do business in Kentucky as a mortgage company licensee pursuant to KRS Chapter 286.8, with a branch office located at 3022 Eastpoint Parkway, Louisville, KY 40223. Respondent's license number is MC82923. (ICIE# 323849)

3. DFI conducted an examination of the Respondent on February 4, 2015, and discovered that the examined branch employed an unregistered loan processor, in violation of KRS 286.8-030(1)(c) and KRS 286.8-030(1)(d).

4. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, suspension or the imposition of civil penalties. *See* KRS 286.8-046 and 286.8-090.

5. In this case, DFI assessed a civil penalty against Respondent in the amount of One Thousand Dollars ($1,000.00) for violating KRS 286.8.

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). The payment 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 – ORDER, 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 286.8.

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. Respondent agrees to cease and desist from using unlicensed loan processors in Kentucky until such time as the requirements of KRS Chapter 286.8 are met.

10. 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.

11. 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.

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

IT IS SO ORDERED on this the 30th day of June, 2015.

on behalf of Charles Vice

CHARLES A. VICE
COMMISSIONER

Consented to:

This ~~24th~~ 30th TRS day of June, 2015.

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

This 24th day of June, 2015.

Authorized Representative
Van Dyk Mortgage Corporation
License # MC82923

ACKNOWLEDGEMENT

STATE OF Michigan)
)
COUNTY OF Kent)

On this the 24th day of June, 2015, before me ~~James Beebe~~ Stacey Dettling, the undersigned, James Beebe, did personally appear and acknowledge himself/herself to be the authorized representative for Van Dyk Mortgage Corporation and that he/she, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 12/24/2019

Notary Public

STACEY DETTLING
Notary Public - Michigan
Allegan County
My Commission Expires Dec 24, 2019
Acting in the County of Kent

CERTIFICATE OF SERVICE

I, Christina Hayden, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 1 day of July, 2015, by certified mail, return receipt requested, to:

Ms. Stacey Dettling, Licensing Manager
Van Dyk Mortgage Corporation
2449 Camelot Court SE
Grand Rapids, MI 49546

Via hand-delivery to:

Gary A. Stephens
1025 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601

Christina Hayden
Department of Financial Institutions