



COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
ADMINISTRATIVE AGENCY CASE NO. 2023-AH-0018

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

v.

HEIGHTS FINANCE CORPORATION

RESPONDENT

AGREED ORDER

STATEMENT OF FACTS

1. The Department of Financial Institutions ("DFI") is responsible for regulating and licensing entities and certain individuals engaged in the business of making loans to consumers for personal, family, or household use in the amount of fifteen thousand dollars (\$15,000) or less at an interest rate greater than usury in accordance with the provisions set forth in Kentucky Revised Statutes (KRS) Chapter 286.4 ("The Act").
2. Heights Finance Corporation ("Respondent") is authorized to do business in Kentucky as a consumer loan company, license # 7047 pursuant to KRS Chapter 286.4 with an address of 604 Ogden Street, Suite 102, Somerset, Kentucky 42501.
3. On March 20-21, 2023, DFI conducted an examination of Respondent which revealed one (1) loan account in which personal property insurance was written for an amount greater than the value of the property.

STATUTORY AUTHORITY

4. KRS 286.4-560 (1) states in part "A licensee may request a borrower to insure tangible personal property, except household goods, offered as security for a loan exceeding three hundred dollars (\$300) under this subtitle against any substantial risk of loss, damage, or destruction for an amount not to exceed the actual value of such property or the approximate amount of the loan..."

VIOLATION

5. Respondent had a loan account with personal property insurance written for an amount greater than the value of the property insured in violation of KRS 286.4-560 (1).

AGREEMENT AND ORDER

6. To resolve this matter without litigation or other adversarial proceedings, DFI and Respondent agree to compromise and settle all claims arising from the above-referenced factual background in accordance with the terms set forth herein.

7. In the interest of economically and efficiently resolving the violations described herein, DFI and Respondent agree as follows:

a. Respondent agrees to pay a civil penalty assessment in the amount of seven hundred and fifty dollars (\$750) for the violation described herein, which shall be payable immediately upon entry of this order;

b. All payments shall be made electronically through the NMLS system;

c. Respondent shall cease and desist from any future violations of the Kentucky Financial Services Code;

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

e. 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;

f. In consideration of execution of this Agreed Order, Respondent hereby releases and forever discharges the Commonwealth of Kentucky, The Department of Financial Institutions, 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;

g. By signing below, Respondent acknowledges he has read the foregoing Agreed Order and knows and fully understands its contents; and

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

SO ORDERED on this the 3rd day of October, 2023.

Isl Marni Rock Gibson
COMMISSIONER

Consented to:

On behalf of the Department of Financial Institutions:

This 29 day of September, 2023

Jessica Sullivan
Jessica Sullivan, Acting Assistant Director
Division of Non-Depository Institutions
Department of Financial Institutions

AND

On behalf of Heights Finance Corporation:

This 10 day of August, 2023

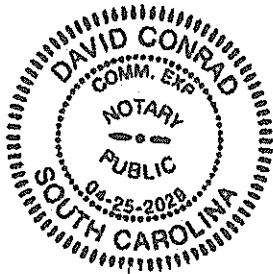
Lanika Means
Lanika Means, Senior Manager of Compliance
Heights Finance Corporation

ACKNOWLEDGEMENT

STATE OF South Carolina)
)
COUNTY OF Spartanburg)

On this the 10 day of August, 2023, before me
Lanka Shivan Meena (please print name), the undersigned,
David Conrad please print name), did personally appear and that
he entered into and executed the foregoing instrument for the purposes therein
contained.

My Commission Expires: 4-25-2029



[Signature]
Notary Public

CERTIFICATE OF SERVICE

3rd I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the October, 2023, by certified mail, return receipt requested, to:

Ms. Lanika Means
Senior Manager of Compliance
Heights Finance Corporation
P.O. Box 1947
Greenville, South Carolina 29602

Via hand-delivery to:

Elizabeth Borders
Staff Attorney
Department of Financial Institutions
500 Mero Street 2SW19
Frankfort, Kentucky 40601

Kentucky Department of Financial Institutions

Name: Alyssa Reid

Title: Executive Staff Advisor