

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY ACTION NO. 2010-AH-1101  
ADMINISTRATIVE ACTION NO. 10-PPC-0297

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**FINAL ORDER**

AARON HAEBERLIN

RESPONDENT

Whereas the issues raised in the Complaint filed herein on August 16, 2010 have been resolved by the attached Agreed Order entered into by the parties on January 12, 2011.

NOW THEREFORE IT IS ORDERED that the terms of the Agreed Order attached hereto are made a Final Order of the Commissioner and said terms are incorporated by reference as if fully set out herein.

IT IS SO ORDERED on this the 18<sup>th</sup> day of January, 2011.

  
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CHARLES A. VICE  
COMMISSIONER

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
ADMINISTRATIVE AGENCY ACTION NO. 2010-AH-1101

JAN 12 2011

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**AGREED ORDER**

AARON HAEBERLIN

RESPONDENT

**STATEMENT OF FACTS**

1. The Department of Financial Institutions (“DFI”) is responsible for regulating and licensing mortgage loan companies and mortgage loan brokers doing business in Kentucky in accordance with the provisions of KRS Chapter 286.8, the Mortgage Loan Company and Mortgage Loan Broker Act (the “Act”).

2. Aaron Haeberlin (“Haeberlin”) is an individual whose last known address is 2811 Rosewood Rd, LaGrange, KY 40031.

3. Pursuant to the Act, the DFI conducted an examination of Blackhorse Mortgage Corporation in December 2009 to determine whether the activities of Blackhorse Mortgage Corporation were in compliance with applicable laws and regulations; whether the practices and policies of Blackhorse Mortgage Corporation had a potentially adverse impact on prospective borrowers; and whether the business was being operated efficiently, fairly, and in the public interest.

4. During the examination, the DFI discovered that Haeberlin acted as a mortgage loan originator while employed by Blackhorse Mortgage Corporation in December 2007.

5. Haeberlin was not registered with the DFI as a mortgage loan originator in December 2007.

### **LEGAL CONCLUSIONS**

6. Pursuant to KRS 286.8-030(1)(c), “it is unlawful for any natural person to transact business in Kentucky, either directly or indirectly, as a mortgage loan originator or mortgage loan processor, unless otherwise exempted, if the mortgage loan originator or mortgage loan processor is not registered in accordance with KRS 286.8-255.”

7. Pursuant to KRS 286.8-255(1), “no natural person shall transact business in Kentucky, either directly or indirectly, as a mortgage loan originator or mortgage loan processor unless such mortgage loan originator or mortgage loan processor is registered with the office and has been issued a current certificate of registration by the office, complies with all applicable requirements of this subtitle, and maintains a valid unique identifier issued by the Nationwide Mortgage Licensing System and Registry.”

8. Haeberlin violated KRS 286.8-030(1)(c) by performing the acts set forth in paragraph four (4).

9. Pursuant to KRS 286.8-046(2), the Executive Director may direct such other affirmative action as deemed necessary against any person who violates any provision of the Act or accompanying regulations.

**AGREEMENT**

10. In the interest of economically and efficiently resolving the violation(s) described herein and avoid the expense, inconvenience, and uncertainty of further administrative proceedings, the DFI and Haerberlin agree as follows:

- a. Haerberlin agrees to a fine assessment in the amount of five hundred dollars (\$500.00) for the violation(s) described herein;
- b. Haerberlin agrees to and shall pay the total fine assessed herein of five hundred dollars (\$500.00). The fine shall be paid as follows.

November 15, 2010	\$100.00
December 15, 2010	\$100.00
January 15, 2011	\$100.00
February 15, 2011	\$100.00
March 15, 2011	\$100.00

“The payments 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.

11. Haerberlin waives his right to demand a hearing at which he would be entitled to legal representation, to confront and cross examine witnesses, and to present evidence on his own behalf, or to otherwise appeal or set aside this Order.

12. Haerberlin 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.

13. In consideration of execution of this Agreed Order, Haerberlin for himself, and for his 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 Haeberlin 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.

14. 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.

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

**IT IS SO ORDERED** on this the 12<sup>th</sup> day of JANUARY, 2010. 2011

  
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CHARLES A. VICE  
COMMISSIONER

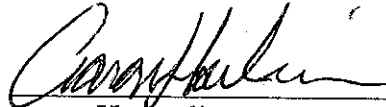
**Consented to:**

This 15<sup>th</sup> day of November, 2010.

This 7<sup>th</sup> day of JAN 2011



Nicole Biddle, Director  
Division of Nondepository Institutions  
Department of Financial Institutions

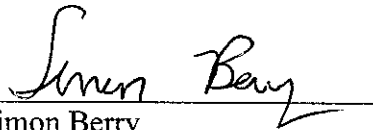


Aaron Haeberlin  
Respondent

**Certificate of Service**

I hereby certify that a copy of the foregoing **Agreed Order** was sent by certified mail return receipt requested and by first class mail on this the 19 day of ~~November~~ January, ~~2010~~, to the following:

~~2011~~  
Aaron Haeberlin  
2811 Rosewood Rd  
LaGrange, KY 40031



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