

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2015-AH-00048



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

ACADEMY MORTGAGE CORPORATION (MC83937 & MC23305)

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. Academy Mortgage Corporation, (MC83937 & MC23305), ("Respondent") is authorized to do business in Kentucky as a mortgage loan company licensee pursuant to KRS Chapter 286.8, with a branch office located at 11590 Century Boulevard, Suite 112, Cincinnati, OH 45246. Respondent's license numbers are MC83937 & MC23305.

3. DFI conducted an examination of the Respondent on November 5, 2014, and discovered that during October-November 2013 Respondent employed an unregistered person who acted as mortgage loan processor on behalf of Respondent for a Kentucky loan in violation of KRS 286.8-030(1)(c) and 286.8-255(1).

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, DFI and Respondent agree as follows:

a. Respondent agrees to a civil penalty assessment in the amount of One Thousand Hundred 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 an unlicensed loan processor in Kentucky and originating loans from branch locations 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.

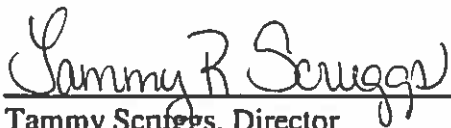
12. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 25<sup>th</sup> day of March, 2015.


  
\_\_\_\_\_  
CHARLES A. VICE  
COMMISSIONER  
*Charles Vice*

**Consented to:**

This 25<sup>th</sup> day of March, 2015.

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

This 20 day of March, 2015.

  
\_\_\_\_\_  
Authorized Representative  
Academy Mortgage Corporation  
License MC83937 & MC23305

**ACKNOWLEDGEMENT**

STATE OF Utah )  
 )  
COUNTY OF Salt Lake )

On this the 20 day of March, 2015, before me Justin Whitney, the undersigned, Mike Huber, did personally appear and acknowledge himself/herself to be the authorized representative for Academy Mortgage Corporation and that he/she, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 08/24/18



[Signature]  
Notary Public

**Certificate of Service**

I, Christina Hayden, hereby certify that a copy of the foregoing Agreed Order was sent on this the 25 day of March, 2015, by certified mail, return receipt requested, to:

Hon. Mike Huber, General Counsel  
Academy Mortgage Corporation  
1220 East 7800 South  
Sandy, UT 84094

Via hand-delivery to:

Hon. Gary W. Adkins  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601

[Signature]  
Christina Hayden  
Department of Financial Institutions