

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2013-AH-0218

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

ACOPIA, LLC

RESPONDENT

AGREED ORDER

* * * * *

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.

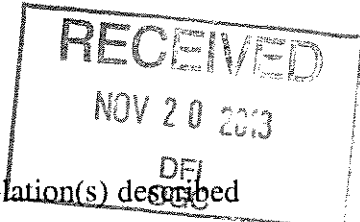
2. Acopia, LLC (“Respondent”) employed a loan processor on a Kentucky loan that was not licensed in Kentucky pursuant to KRS Chapter 286.8.

3. Acopia, LLC (“Respondent”) employed an unlicensed loan originator on Kentucky loans in violation of KRS Chapter 286.8.

4. DFI conducted an examination of the Respondent and discovered on April 1, 2013 violations of KRS 286.8-030, the Respondent had employed a processor and a mortgage loan originator who were not registered in accordance with KRS 286.8-255.

5. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, suspension or the imposition of fines. *See* KRS 286.090(1) a and c.

6. In this case, DFI assessed the fine against the Respondent for the cumulative amount of nine thousand dollars (\$9,000.00) for violations of KRS 286.8.



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

- a. Respondent agrees to a fine assessment in the amount of nine thousand dollars (\$9,000.00) for the violation(s) described herein.
- b. Respondent agrees to and shall pay the total fine assessed herein of nine thousand dollars (\$9,000). 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: Walker C. Cunningham III, 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 or originators for Kentucky loans 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 2nd day of December, 2013.



CHARLES A. VICE
COMMISSIONER

Consented to:

This 25 day of November, 2013.

This 6th day of November, 2013.

[Signature]
Authorized Representative
Division of Non-Depository Institutions
Department of Financial Institutions

[Signature]
Authorized Representative
Acopia, LLC

ACKNOWLEDGEMENT

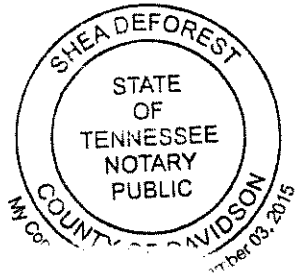
STATE OF Tennessee)
COUNTY OF Davidson)

On this the 6 day of November, 2013, before me Craig Miller, the undersigned, VP, Administration, Acopia, LLC did personally appear and acknowledge himself/herself to be the authorized representative for Acopia, LLC, and that he/she, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: 11-3-15

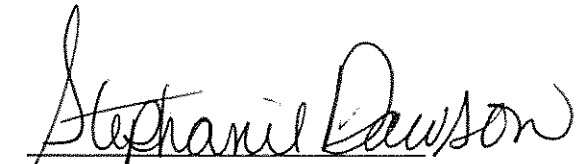
[Signature]
Notary Public



Certificate of Service

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 2nd day of ~~November~~, 2013, by certified mail, return receipt requested, to the following:
~~December~~

Acopia, LLC
306 Northcreek Blvd
Suite 1000
Goodlettsville, TN 37072
Attn: Scott Dunn


Stephanie Dawson
Department of Financial Institutions