

**COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2013-AH-203**

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

V.

ADVANCE AMERICA, CASH ADVANCE
CENTERS OF KENTUCKY, INC.
D/B/A CASH ADVANCE
D/B/A FIRST AMERICAN CASH ADVANCE
D/B/A CHECK ADVANCE
D/B/A PURPOSE FINANCIAL

RESPONDENT

AGREED ORDER

1. The Department of Financial Institutions (“DFI”) is responsible for regulating deferred deposit service businesses doing business in Kentucky in accordance with the provisions of KRS Chapter 286.9-010, et seq. (the “Act”).
2. Advance America Cash Advance Centers of Kentucky, Inc. d/b/a Advance America (“Respondent”) is authorized to do business in Kentucky pursuant to KRS Chapter 286.9, with an office located at 4000 Fort Campbell Boulevard, Suite K, Hopkinsville, Kentucky 42240. The Hopkinsville office License number is 103-1.
3. DFI conducted a routine examination of Respondent on July 23, 2013. During the examination DFI discovered that Respondent failed to accurately enter customer information into the Veritec database allowing a customer to enter into a deferred deposit transaction exceeding the limits allowed under KRS Chapter 286.9, in violation of KRS 286.9-140(1).
4. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, and the imposition of fines in an amount up to \$5,000 per violation. *See* KRS 286.9-110; 286.9-991.

5. In this case, DFI assessed a fine against Respondent in the amount of one thousand dollars (\$1,000) for violating KRS 286.9-140(1).

6. In the interest of economically and efficiently resolving the violation(s) described herein, and without the statements of fact and legal conclusions herein, DFI and Respondent agree as follows:

a. Respondent agrees to fine assessment in the amount of one thousand dollars (\$1,000) for the violation(s) described herein

b. Respondent agrees to and shall pay the total fine of one thousand dollars (\$1,000), which shall be due when Respondent signs and returns the Agreed Order. The payment shall be in the form of certified check or money order payable to “Kentucky State Treasurer” and mailed to the Department of Financial Institutions, Attn: William Owsley, 1025 Capital Center Drive, Suite 200, Frankfort, KY 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 286.9.

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

8. Respondent consents to and acknowledges the jurisdiction of the DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

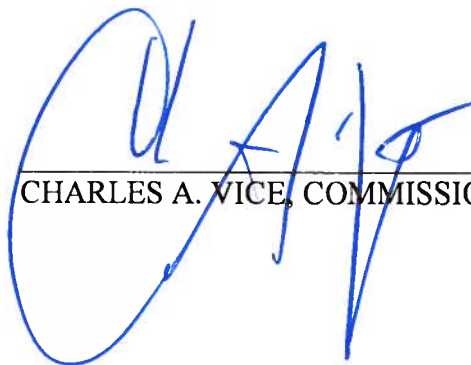
9. In consideration of the execution of this Agreed Oder, Respondent, for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, the DFI, Office of Legal Services, and each of their members, agents and employees in their individual capacities, from any and all manner of actions, causes of actions, 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.

10. By signing below, the parties acknowledge that they have read the foregoing Agreed Order, know and understand its contents, and that they are authorized to enter into and executed this Agreed Order and legally bind their respective parties.

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

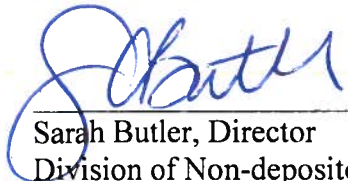
IT IS SO ORDERED on this 17th day of October, 2013.



CHARLES A. VICE, COMMISSIONER

Consented to:


This 21 day of Oct, 2013



Sarah Butler, Director
Division of Non-depository Institutions
Department of Financial Institutions

This 11th day of October, 2013

Advance America Cash Advance Centers of Kentucky, Inc. d/b/a Advance America

BY: 
ITS: Secretary-Treasurer

ACKNOWLEDGEMENT


STATE OF South Carolina)

COUNTY OF Spartanburg)

On this the 11th day of October, 2013, before me Gina R Stephens the undersigned J. Christian Rudolph, did personally appear and acknowledge himself/herself to be the Authorized Representative of Advance America Cash Advance Centers of Kentucky, Inc. d/b/a Advance America and that he/she, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.


My Commission expires: August 3, 2015


Notary Public

Certificate of Service

I hereby certify that a copy of the foregoing **Agreed Order** was sent by U.S. Mail on this the 23rd day of October, 2013, to the following:

Pam Bodkins
Compliance Specialist
Cash Advance Centers of Kentucky, Inc.
d/b/a Cash Advance
PO Box 3058
Spartanburg, SC 29304


Stephanie Dawson
Department of Financial Institutions