

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2014-AH-004

ENTERED  
FEB 11 2014  
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

BUCKEYE CHECK CASHING OF KENTUCKY, INC

RESPONDENT

**AGREED ORDER**

\* \* \* \* \*

1. The Department of Financial Institutions ("DFI") is responsible for regulating and licensing entities engaged in the business of cashing checks and accepting deferred deposit transactions in accordance with the provisions set forth in KRS Chapter 286.9.

2. Buckeye Check Cashing of Kentucky, Inc. ("Respondent") is authorized to do business in Kentucky as a check casher pursuant to KRS Chapter 286.9, with an office located at 5005 Preston Highway, Louisville, Kentucky (License number 313962).

3. DFI conducted a routine examination of Respondent's Louisville office on July 16, 2013. Prior to the examination, Respondent made certain administrative corrections to previous entries for a customer in the Veritec database and DFI confirmed that these corrections were the result of Respondent initially failing to accurately enter customer information into the Veritec database which, in turn, allowed this customer to enter into deferred deposit transactions 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, 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 (\$1,000.00) for violating KRS 286.9-140(1).

6. Respondent neither admits nor denies the DFI's findings, however, 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 one thousand dollars (\$1,000.00) for the violation(s) described herein;

b. Respondent agrees to and shall pay the total fine assessed herein 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 a certified check or money order made payable to "Kentucky State Treasurer" and mailed to the Department of Financial Institutions, Attn: William Owsley, 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 286.9.

7. Respondent waives its right to demand a hearing at which it would be entitled to legal representation, to confront and cross examine witnesses, 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. In consideration of execution of this Agreed Order, each party hereto for itself, and for its successors and assigns, hereby releases and forever discharges the other party, 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 either party 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 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.

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

**IT IS SO ORDERED** on this the 11<sup>th</sup> day of February, 2014.

  
\_\_\_\_\_  
CHARLES A. VICE  
COMMISSIONER

**Consented to:**

This 7 day of February, 2014.

This 20<sup>th</sup> day of January, 2014.

[Signature]  
Director  
Division of Non-Depository Institutions  
Department of Financial Institutions

[Signature]  
Authorized Representative  
Buckeye Check Cashing of Kentucky, Inc

**ACKNOWLEDGEMENT**

STATE OF Ohio )  
 )  
COUNTY OF Union )

On this the 20<sup>th</sup> day of January, 2014, before me Shawnee Parks, the undersigned, Bridgette Roman did personally appear and acknowledge himself/herself to be the authorized representative of Buckeye Check Cashing of Kentucky, Inc. 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: 7-22-2016



Shawnee R. Parks  
Notary Public, State of Ohio  
My Commission Expires 07-22-2016

[Signature]  
Notary Public

**Certificate of Service**

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 11 day of February, 2014, by certified mail, return receipt requested, to the following:

Bridgette C. Roman  
General Counsel  
Buckeye Check Cashing of Kentucky, Inc.  
d/b/a Check\$mart  
7001 Post Road, Suite 200  
Dublin, Ohio 43017

  
Department of Financial Institutions