COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2017-AH-00066

DEPARTMENT OF FINANCIAL INSTITUTIONS — COMPLAINANT

vs. **AGREED ORDER**

CASH EXPRESS, LLC — RESPONDENT

* * * * * * * * * * * * * *

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. Cash Express, LLC ("Respondent") is authorized to do business in Kentucky as a deferred deposit and check cashing licensee pursuant to KRS Chapter 286.9, with an office located at 1989 Harrodsburg Road, Lexington, KY 40503 with Deferred Deposit License # CC24560. (ICIE# 391050)

3. DFI conducted a routine examination of Respondent on May 2, 2017. During the examination, the DFI discovered that Respondent entered the wrong social security number for a customer into the database, in violation of KRS 286.9-140(1). The customer opened another transaction causing the customer to have an aggregate greater than $500, in violation of KRS 286.9-100(9).

4. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, as well as the imposition of civil penalties in an amount up to $5,000 per violation. *See* KRS 286.9-110; 286.9-991.

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5. In this case, the DFI assessed a civil penalty against Respondent in the amount of two thousand dollars ($2,000) for the above-described violations of KRS 286.9-100(9) and KRS 286.9-140(1).

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

a. Respondent agrees to a civil penalty assessment in the amount of two thousand dollars ($2,000.00) for the violation(s) described herein;

b. 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 286.9.

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, 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.

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 24th day of August, 2017.

CHARLES A. VICE
COMMISSIONER

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Consented to:

This 28th day of August, 2017.

Tammy R. Scruggs

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

This 17 day of August, 2017.

Authorized Representative
Cash Express, LLC
Deferred Deposit License # CC24560

ACKNOWLEDGEMENT

STATE OF Tennessee)
)
COUNTY OF Putnam)

On this the 17th day of August, 2017, before me Rhonda Cole, the undersigned, Jeff Olson, did personally appear and acknowledge himself/herself to be the authorized representative of Cash Express, LLC and that he/she, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 11/23/20

Rhonda M. Cole
Notary Public

RHONDA M. COLE
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF PUTNAM

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 28 day of August, 2017, by certified mail, return receipt requested, to:

Cash Express, LLC
Attn: Jeff Olson
345 South Jefferson Avenue, Ste. 300
Cookeville, TN 38501

By Hand-Delivery to:

Hon. Gary W. Adkins
Kentucky Department of Financial Institutions
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601

Allison E. Evans
Office of the Commissioner
Kentucky Department of Financial Institutions
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601