

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2014-AH-0136

ENTERED
FEB 26 2015
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

CASHLAND FINANCIAL SERVICES, 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. Cashland Financial Services, Inc. (“Respondent”) is authorized to do business in Kentucky as a check casher pursuant to KRS Chapter 286.9, with an office located at 2140 Old Shepherdsville Road, Louisville, KY 40218. The Louisville office license number is #12349.

3. DFI conducted a routine examination of Respondent on July 10, 2014. During the examination, DFI discovered that the Respondent closed two customer’s accounts in the Veritec system when they still owed on their loans, allowing both of the customers to enter into deferred deposit transactions exceeding the limits allowed under KRS Chapter 286.9, in violation of KRS 286.9-140(1) and KRS 286.9-100(9). Additionally, the Respondent entered the wrong social security number for a customer, which allowed her to enter into a deferred deposit transaction exceeding the limits allowed under KRS Chapter 286.9, in violation of KRS 286.9-140(1) and KRS 286.9-100(9).

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 six thousand dollars (\$6,000.00) for violating 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 and legal conclusions herein, DFI and Respondent agree as follows:

a. Respondent agrees to a total fine assessment in the amount of six thousand dollars (\$6,000.00) for the violations described herein;

b. Respondent agrees to and shall pay the total fine assessed herein of six thousand dollars (\$6,000.00), 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: 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 25th day of February, 2015.

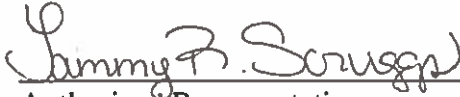


CHARLES A. VICE
COMMISSIONER

Consented to:

This 24th day of February, 2015.

This 5 day of February 2015.



Authorized Representative
Division of Non-Depository Institutions
Department of Financial Institutions



Authorized Representative
Cashland Financial Services, Inc.

ACKNOWLEDGEMENT


STATE OF Texas)
COUNTY OF Tarrant)

On this the 5 day of February, 2015, before me April Parker, the undersigned, Shawn Bourns did personally appear and acknowledge himself/herself to be the authorized representative of Cashland Financial Services, 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: 1/26/2016





Notary Public

Certificate of Service

I, Christina Hayden, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 26 day of February, 2015, by certified mail, return receipt requested, to:

Cashland Financial Services, Inc.
Attn: Jessica Chambers
1600 West 7th Street
Ft Worth, TX 76102

Via hand-delivery to:

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


Christina Hayden
Department of Financial Institutions