

**COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2021-AH-00019**

ENTERED
JUL 20 2021
7:54AM AER
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

CHECK INTO CASH OF KENTUCKY, LLC

RESPONDENT

* * * * *

1. The Complainant, the Kentucky Department of Financial Institutions (hereafter "DFI") is the agency within the Commonwealth of Kentucky charged with the administration of the provisions of Subtitle 9 of KRS Chapter 286, and the rules and regulations promulgated thereunder.

2. Check Into Cash of Kentucky, LLC ("Respondent") is authorized to do business in Kentucky as a deferred deposit licensee pursuant to KRS Chapter 286.9, with an office located at 1091 North Main Street, Nicholasville, KY 40356, with Check Casher License #236-2 (ICIE# 391885).

3. DFI conducted a routine examination of Respondent on July 27th, 2020. During the examination, the DFI discovered Respondent violated KRS 286.9-100(13) when Respondent failed to obtain required signatures on five (5) customer transaction agreements.

4. DFI possesses a range of administrative authority in addressing violations of the KRS Chapter 286.9, 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.

5. In this case, the DFI assessed a civil penalty against Respondent in the amount of one thousand dollars (\$1,000) for the above-described violation of KRS 286.9-100(13).

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 one thousand dollars (\$1,000.00) for the violation described herein;

b. Respondent agrees to and shall pay the total civil fine assessed herein of one thousand dollars (\$1,000), which shall be due upon execution and entry of the Agreed Order. The Payment shall be in the form of either an ACH payment or a certified check or money order made payable to the "Kentucky State Treasurer" and mailed to the Department of Financial Institutions, Attn: Non-Depository Division, , Frankfort, KY 40601; and;

c. Respondent agrees to make restitution, by check drawn on the Respondent's account, to all affected customers by refunding the service fees on the transactions that created the database violation and to maintain records – consistent with KRS 286.9-074 – that such refund checks were issued to the customers and were processed for payment by the customer; and

d. 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 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 9th day of July, 2021.



CHARLES A. VICE
COMMISSIONER



Justin Burse
Deputy Commissioner

CERTIFICATE OF SERVICE


I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 20th day of July, 2021, by certified mail, return receipt requested, to:

Check Into Cash of Kentucky, LLC
Attn: Glenn Bartcher
P.O. Box 550
Cleveland, TN 37364-0550

And by Hand-Delivery to:

Kathryn Adams Cornett
Staff Attorney
Department of Financial Institutions
500 Mero Street 2SW19
Frankfort, KY 40601

Kentucky Department of Financial Institutions



Name: Allison Reed
Title: Executive Staff Advisor