

**COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
ADMINISTRATIVE AGENCY ACTION NO. 2010-AH-047**

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**FINAL ORDER**

CRAIG CHANEY

RESPONDENT

**FINDINGS OF FACT**

1. The Department of Financial Institutions (the "DFI") is responsible for regulating and licensing mortgage loan companies and mortgage loan brokers doing business in Kentucky in accordance with the provisions of KRS Chapter 286.8, the Mortgage Loan Company and Mortgage Loan Broker Act (the "Act").

2. Craig Chaney ("Chaney") is an individual whose last known address is 1503 Flat Rock Rd, Louisville, KY 40245.

3. Pursuant to the Act, the DFI conducted an examination of Blackhorse Mortgage Corporation in December 2009 to determine whether the activities of Blackhorse Mortgage Corporation were in compliance with applicable laws and regulations; whether the practices and policies of Blackhorse Mortgage Corporation had a potentially adverse impact on prospective borrowers; and whether the business was being operated efficiently, fairly, and in the public interest.

4. During the examination, the DFI discovered that Chaney acted as a mortgage loan originator for the time period October 2007 through February 2008 while employed by Blackhorse Mortgage Corporation.

5. Chaney was not registered with the DFI as a mortgage loan originator during the time period October 2007 through February 2008.

6. On July 15, 2010, the DFI filed an Administrative Complaint against Chaney seeking the imposition of a three thousand dollar (\$3,000) fine for Chaney's violation(s) of the Act.

7. The Administrative Complaint was sent to Chaney at his last known address by certified mail return receipt requested. The U.S. Post Office returned the Administrative Complaint as unclaimed on August 16, 2010. Chaney did not file a response to the Administrative Complaint.

#### **STATUTORY AUTHORITY**

8. Pursuant to KRS 286.8-030(1)(c), "it is unlawful for any natural person to transact business in Kentucky, either directly or indirectly, as a mortgage loan originator or mortgage loan processor, unless otherwise exempted, if the mortgage loan originator or mortgage loan processor is not registered in accordance with KRS 286.8-255."

9. Pursuant to KRS 286.8-255(1), "no natural person shall transact business in Kentucky, either directly or indirectly, as a mortgage loan originator or mortgage loan processor unless such mortgage loan originator or mortgage loan processor is registered with the office and has been issued a current certificate of registration by the office, complies with all applicable requirements of this subtitle, and maintains a valid unique identifier issued by the Nationwide Mortgage Licensing System and Registry."

10. Pursuant to KRS 286.8-046(1), the Commissioner may assess a fine of not less than one thousand dollars (\$1,000) nor more than twenty-five thousand dollars (\$25,000) per violation, “plus the state’s costs and expenses for the examination, investigation, and prosecution of the matter, including reasonable attorney’s fees and court costs” against any mortgage loan company or mortgage loan broker that violates any provision of the Act or accompanying regulations.

### **LEGAL CONCLUSIONS**

11. Chaney violated KRS 286.8-030(1)(c).
12. The Administrative Complaint was served on Chaney at his last known address.

### **ORDER**

**THEREFORE**, based upon the foregoing statement of facts, statutory authority, and legal conclusions, the Commissioner **HEREBY ORDERS**:

1. The Respondent, Craig Chaney, shall pay a fine in the amount of three thousand dollars (\$3,000) for violation(s) of the Act.
2. This is a **FINAL ORDER**.

This **ORDER** shall become effective upon completion of service as set forth in KRS 13B-050(2).

**NOTICE OF APPEAL RIGHTS**

Pursuant to KRS 286.8.210, you are hereby notified that you have the right to appeal this Final Order of the Commissioner. If you choose to appeal, you must file a written Notice of Appeal with the Franklin Circuit Court within sixty (60) days after entry of this Order.

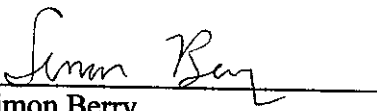
IT IS SO ORDERED on this the 5<sup>th</sup> day of October 2010.

  
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CHARLES A. VICE  
COMMISSIONER

**Certificate of Service**

I hereby certify that a copy of the foregoing **Final Order** was sent by certified mail return receipt requested on this the 7<sup>th</sup> day of October, 2010, to the following:

Craig Chaney  
1503 Flat Rock Rd  
Louisville, KY 40245

  
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Simon Berry  
Department of Financial Institutions  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601  
(502) 573-3390 Ext. 232  
(502) 573-2183 (facsimile)