

**COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2013-AH-0190**

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

v.

**AGREED ORDER**

DAVID GREG NAKATA

RESPONDENT

\* \* \* \* \*

1. Department of Financial Institutions (“DFI”) is responsible for regulating and licensing mortgage loan originators in accordance with the provisions of KRS Chapter 286.8. No person shall transact business in Kentucky as a mortgage loan originator, unless that person is registered with DFI and complies with all the applicable requirements of KRS Chapter 286.8. *See KRS 286.8-255(1); See KRS 286.8-030(1)(c).*

2. Respondent applied to be a loan originator in Kentucky, pursuant to KRS 286.8, on or about June 28, 2013.

3. In his MU4 application, submitted to DFI on June 28, 2013, Respondent stated that he not ever been denied a loan originator license in another state.

4. On or about November 23, 2010, the Respondent was denied a mortgage loan originator license in the state of Missouri.

5. On August 21, 2013, DFI, by counsel, submitted an Administrative Complaint seeking to deny the mortgage loan originator license for the state of Kentucky to the Respondent. The Administrative Complaint was sent to the Respondent’s last known address, 625 NE 45<sup>th</sup> Terr, Kansas City, MO 64116.

6. The Administrative Complaint explained that the Respondent must file an answer to the Complaint, including a request for hearing, within twenty (20) days of service. The Administrative Complaint also explained that if a request for hearing was not received within 20 days, DFI would seek a Final Order from the Commissioner granting the relief requested in the Complaint.

7. The Administrative Complaint was delivered to the Respondent on August 26, 2013.

8. The Respondent timely contacted DFI and stated that the misrepresentation in the MU4 application was a mistake.

9. In the interest of economically and efficiently resolving the violation described herein, DFI and Respondent agree as follows:

a. Respondent hereby withdraws his Kentucky Loan Originator license application.

b. DFI hereby dismisses the Administrative Complaint filed against Respondent on August 21, 2013 without prejudice.

c. Respondent may resubmit a Kentucky Loan Originator license application at a later time.

10. Respondent waives his right to demand a hearing at which he would be entitled to legal representation, to confront and cross examine witnesses, and to present evidence on his own behalf, or to otherwise appeal or set aside this Order.

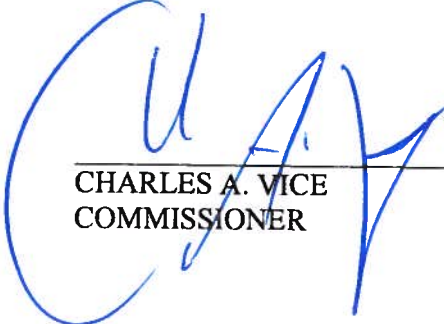
11. Respondent consents to and acknowledges the jurisdiction of DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

12. In consideration of execution of this Agreed Order, Respondent for himself, 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.


13. 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.

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

IT IS SO ORDERED on this the 17<sup>th</sup> day of October, 2013.

  
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CHARLES A. VICE  
COMMISSIONER



  
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Notary Public TRAVIS W. WILSON


**TRAVIS W. WILSON**  
Notary Public-Notary Seal  
STATE OF MISSOURI  
County of Platte  
My Commission Expires: 07-07-2017  
Commission #13388145

**Certificate of Service**

I hereby certify that a copy of the foregoing **Agreed Order** was sent by certified mail to, return receipt requested, on this the 23<sup>rd</sup> day of October, 2013 to:

David Greg Nakata  
625 NE 45<sup>th</sup> Terr  
Kansas City, MO 64116

Susan Durant  
Administrative Hearings Branch  
Office of the Attorney General  
1024 Capital Center Drive, Ste. 200  
Frankfort, Kentucky 40601

  
Stephanie Dawson  
Department of Financial Institutions