

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2012-AH-0107
ADMINISTRATIVE ACTION NO. 12-PPC-0152

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

v.

AGREED ORDER

DONNA FAYE BURKE

RESPONDENT

* * * * *

AGREED ORDER

1. 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 Also* KRS 286.8-030(1)(c).
2. The Department alleged by Administrative Complaint filed under KRS Chapter 13B. KRS 286.8-012, that the Respondent was not registered as a Loan Originator in Kentucky, pursuant to KRS Chapter 286.8, at the time a loan origination was completed.
3. Respondent exercised her rights to a full Administrative Hearing, which was conducted by the Honorable Susan S. Durant on January 10, 2013.
4. As a result of the Hearing, Ms. Durant concluded in her April 17th Findings of Fact and Conclusions of Law, "DFI proved that Burke acted as a Mortgage Loan Originator in regard to the refinanced mortgage of Jared Schultz in January, 2011, after her registration had expired and had not been renewed."

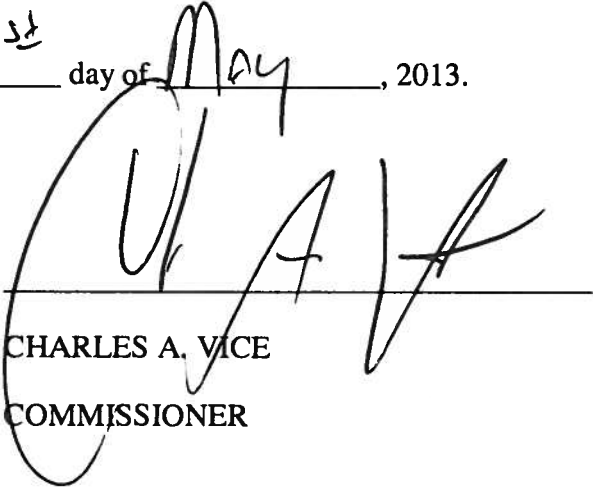
5. In the interest of economically and efficiently resolving the violation(s) described herein, DFI and Respondent agree as follows:
 - a. Respondent agrees to a fine assessment in the amount of one thousand dollars (\$1,000.00) for the violation(s) described herein;
 - b. Respondent agrees to and shall pay the fine assessed herein of one thousand dollars (\$1,000). The payment 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: Walker C. Cunningham III, 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 286.8.
6. Respondent waives her right 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.
7. 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.
8. Respondent agrees to cease and desist from acting as a mortgage loan originator in Kentucky until such time as she meets the requirements of KRS Chapter 286.8
9. In consideration of execution of this Agreed Order, Respondent for herself, and for her 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 1st day of May, 2013.



A large, stylized handwritten signature in black ink, appearing to read 'C. A. VICE', is written over a horizontal line. The signature is highly cursive and loops around the line.

CHARLES A. VICE
COMMISSIONER

Consented to:

This 1 day of May, 2013.

This 29th day of April, 2013.

[Signature]
Authorized Representative

Donna Faye Burke
Donna Faye Burke

Division of Non-Depository Institutions
Department of Financial Institutions

ACKNOWLEDGEMENT

STATE OF Ky)

COUNTY OF Jefferson)

On this the 29 day of April, 2013, before me Denise Peyton, the undersigned, Donna Faye Burke did personally appear and acknowledge herself to be Donna Burke, and that she, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires:

DENISE PEYTON
NOTARY PUBLIC
STATE AT LARGE
KENTUCKY
MY COMMISSION EXPIRES MAY 27, 2014

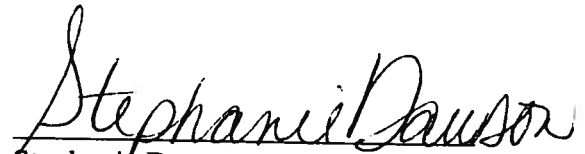
Denise Peyton
Notary Public

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 2nd day of May, 2013 to:

Donna Faye Burke
2088 HWY 44 E
Shepherdsville, KY 40165

Hon. Susan S. Durant
Hearing Officer
Administrative Hearings Branch
Office of the Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601


Stephanie Dawson
Department of Financial Institutions