

**COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2013-AH-0035**

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

ENVOY MORTGAGE, LTD

RESPONDENT

AGREED ORDER

1. The Department of Financial Institutions (“DFI”) is responsible for regulating and licensing mortgage loan brokers, mortgage loan companies, mortgage loan originators, and mortgage loan processors in accordance with the provisions set forth in KRS Chapter 286.8, the Mortgage Loan Company and Mortgage Loan Broker Act.

2. Envoy Mortgage, LTD (“Envoy”) is authorized to do business in Kentucky as a licensed mortgage loan company pursuant to Kentucky Revised Statutes Chapter 286.8, with its principal office located at 2000 Warrington Way, Suite 200, Louisville, KY 40222.

3. On December 10 & 11, 2012, DFI conducted a compliance exam at Envoy. DFI discovered that Envoy had utilized an unregistered loan processor to process mortgage loans in violation of KRS §286.8-030 which prohibits a mortgage loan company from employing or using a loan processor who is not registered in accordance with KRS §286.8-255. This was the second time that Envoy had been cited for using the same unregistered loan processor.

4. The Department possesses a range of administrative authority in addressing violations of Chapter 286.6, including license revocation or denial, the imposition of fines in an amount up to \$25,000 per violation, and settlement. *See* KRS §286.8-046; §286.8-090.

5. In this case, the Department assessed a fine against Envoy in the amount of five thousand dollars (\$5,000.00) for utilizing an unregistered loan processor to process Kentucky loans in violation of KRS §286.8-030.

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

a. Envoy agrees to a fine assessment in the amount of five thousand dollars (\$5,000.00) for the violations described herein;

b. Envoy agrees to and shall pay five thousand dollars (\$5,000) of the total fine assessed herein prior to the entry of this Order, which 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: Katherine W. Ross, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601; and

c. Envoy agrees to register with DFI all individuals who process mortgage loans on Kentucky properties on its behalf.

d. Envoy shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.8 and the regulations set forth in 808 KAR Chapter 12.

7. Envoy 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.

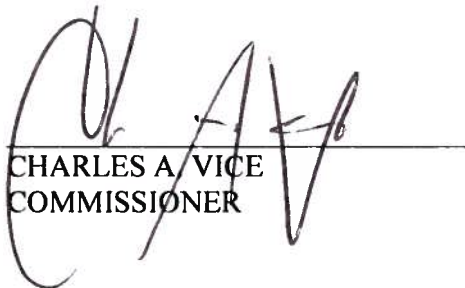
8. Envoy consents to and acknowledges the jurisdiction of the Department of Financial Institutions over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

9. In consideration of execution of this Agreed Order, Envoy for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, Department of Financial Institutions, 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 Envoy 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 that they are authorized to execute this 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 8th day of March, 2013.


CHARLES A. VICE
COMMISSIONER

Consented to:

This 8th day of March, 2013.

This 5th day of March, 2013.

J. Battles

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

Cain

Authorized Representative
Envoy Mortgage, LTD

ACKNOWLEDGEMENT

STATE OF Texas)
)
COUNTY OF Harris)

On this the 5 day of March, 2013, before me Desiree R. Reyes, the undersigned, Patrick A. Walden, did personally appear and acknowledge himself/herself to be the authorized representative of Envoy Mortgage, LTD 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: 02/18/2014



Desiree Reyes

Notary Public

Certificate of Service

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 12th day of March, 2013, by certified mail, return receipt requested, to the following:

Julie Caggiano
5100 Westheimer, Suite 320
Houston, TX 77056


Stephanie Dawson
Department of Financial Institutions