

**COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2010-AH-015**

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 (the “Act”).

2. Envoy Mortgage, LTD (“Envoy”) has a branch office authorized to do business in Kentucky as a mortgage company pursuant to the Act, with the branch office located at 3288 Eagle View Lane, Lexington, Kentucky 40509. The branch license number is MC23726.

3. DFI conducted an examination of the Envoy branch office on August 25, 2009. During the examination, DFI discovered that Envoy had utilized four (4) unregistered loan originators to originate mortgage loans and Envoy also utilized five (5) unregistered loan processors to process loans in violation of KRS 286.8-030, which prohibits a mortgage loan company from employing or using a loan originator and/or loan processor who is not registered in accordance with KRS 286.8-255.

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

5. In this case, DFI assessed a fine against Envoy in the amount of thirty-eight thousand dollars (\$38,000.00) for utilizing four (4) unregistered loan originators to originate Kentucky loans and five (5) unregistered loan processors to process Kentucky loans in violation of KRS 286.8-030.

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

a. Envoy agrees to a fine assessment in the amount of thirty-eight thousand dollars (\$38,000.00) for the violation(s) described herein;

b. Envoy has already submitted payment of the fine assessment. On March 9, 2010, DFI received a check in the amount of thirty-eight thousand dollars (\$38,000) for the above-described violations;

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

d. Envoy shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in the Act 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 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, Envoy 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 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 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 6th day of April, 2010.

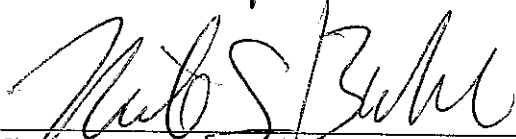


CHARLES A. VICE
COMMISSIONER

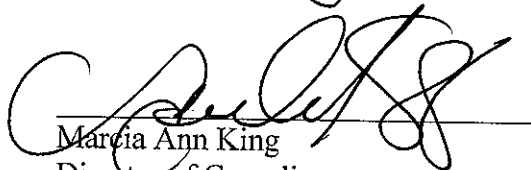
Consented to:

This 24th day of March, 2010.

This 1st day of April, 2010.



Nicole S. Biddle, Director
Division of Non-Depository Institutions
Department of Financial Institutions



Marcia Ann King
Director of Compliance
Envoy Mortgage, LTD

ACKNOWLEDGEMENT

STATE OF Texas)
COUNTY OF Harris)

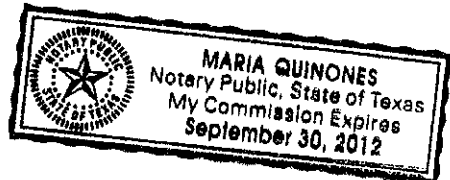
On this the 1st day of April, 2010 before me Maria Quinones the undersigned, **Marcia Ann King**, did personally appear and acknowledge herself to be the _____ of Envoy Mortgage, Ltd. and that she, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: September 30, 2012



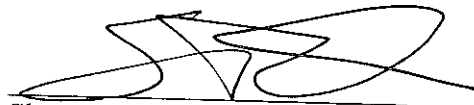
Notary Public



Certificate of Service

I, Shaun T. Orme, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 8th day of April, 2010, by certified mail, return receipt requested, to the following:

Marcia Ann King
Director of Compliance
Envoy Mortgage, Ltd.
5100 Westheimer, Ste. 320
Houston, TX 77056



Shaun T. Orme
Department of Financial Institutions
1025 Capital Center Drive
Suite 200
Frankfort, Kentucky 40601
502-573-3390 ext. 282 (phone)
502-573-2183 (facsimile)

Counsel for Complainant