

**COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2010-AH-1123**

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

v.

AGREED ORDER

FIRST LIBERTY FINANCIAL MORTGAGE, LLC

RESPONDENT

* * * * *

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. First Liberty Financial Mortgage, LLC (“Respondent”) is licensed as a loan company in Kentucky, pursuant to the Act. The Respondent’s license was effective on November 2, 2009 and in effect at all times relevant herein.

3. During an examination, DFI discovered that the Respondent employed or used an unregistered mortgage loan processor during the 2010 calendar year, in violation of KRS 286.8-030(d), which prohibits a mortgage loan company from employing or using a mortgage 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, and/or 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 has assessed a fine against Respondent in the amount of one thousand dollars (\$1,000.00) for employing or using an unregistered mortgage loan processor in Kentucky, in violation of KRS 286.8-030(d).

6. In the interest of economically and efficiently resolving the violation(s) described herein, DFI and the 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 total fine assessed herein in a single installment payment of one thousand dollars (\$1,000.00), which shall be due on the date Respondent signs the Agreed Order and returns it to DFI. Said 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: Michael T. Davis, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601; and
- c. Respondent 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. Respondent 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. 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.

9. In consideration of execution of this Agreed Order, Respondent 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 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 3rd day of December, 2010.



CHARLES A. VICE
COMMISSIONER

Consented to:

This 28th day of November, 2010.

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

This 24th day of November, 2010.

Patrick Cason
Patrick Cason, President
Respondent
First Liberty Financial Mortgage, LLC

ACKNOWLEDGEMENT

STATE OF Kentucky)
)
COUNTY OF Daviess)

On this the 24th day of November, 2010, before me Amanda Clark, the undersigned, **Patrick Cason, as President and authorized representative of First Liberty Financial Mortgage, LLC**, did personally appear and entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

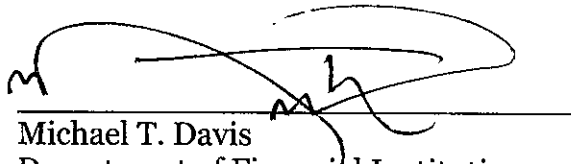
My Commission Expires: 9-29-2013

Amanda Clark
Notary Public

Certificate of Service

I, Michael T. Davis, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 3rd day of December, 2010, by certified mail, to the following:

Patrick Cason, President
First Liberty Financial Mortgage, LLC
444 Lewis Hargett Circle, Suite 180
Lexington, KY 40503

A handwritten signature in black ink, appearing to be 'M. Davis', is written over a horizontal line. The signature is stylized and somewhat cursive.

Michael T. Davis
Department of Financial Institutions
1025 Capital Center Drive
Suite 200
Frankfort, Kentucky 40601
502-573-3390 ext. 240 (phone)
502-573-2183 (facsimile)