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COMMISSIONERS OFFICE

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2018-AH-00017

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

HOMETOWN LENDERS, LLC  
(MC82973)

RESPONDENT

\* \* \* \* \*

1. The Department of Financial Institutions ("DFI") is responsible for regulating and licensing entities engaged in mortgage brokering, origination, and processing in accordance with the provisions set forth in KRS Chapter 286.8.

2. HomeTown Lenders, LLC, ("Respondent") is authorized to do business in Kentucky as a mortgage company licensee pursuant to KRS Chapter 286.8. Respondent's license number is MC82973. (ICIE 391276)

3. DFI conducted an examination of the Respondent on October 31, 2017, and discovered that Respondent utilized unregistered loan processors to service two Kentucky mortgages, in violation of KRS 286.8-030(1)(c).

4. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, suspension or the imposition of civil penalties. See KRS 286.8-046 and 286.8-090.

5. In this case, DFI assessed a civil penalty against Respondent in the amount of Two Thousand Dollars (\$2,000.00) for violating KRS 286.8.

6. In the interest of economically and efficiently resolving the violation(s) described herein, and without the Respondent admitting or denying the statement of facts and legal conclusions set forth herein, DFI and Respondent agree as follows:

a. Respondent agrees to a civil penalty assessment in the amount of Two Thousand Dollars (\$2,000.00) for the violation(s) described herein;

b. Respondent agrees to and shall pay the total civil penalty assessed herein of Two Thousand Dollars (\$2,000.00). 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: Non-Depository Division – ORDER, 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.

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. Respondent agrees to cease and desist from utilizing unregistered loan processors to service Kentucky mortgages.

10. 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.

11. 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.

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


IT IS SO ORDERED on this the 9<sup>th</sup> day of April, 2018.


  
\_\_\_\_\_  
CHARLES A. VICE  
COMMISSIONER

**Consented to:**

This 6<sup>th</sup> day of April, 2018.

This \_\_\_\_\_ day of \_\_\_\_\_, 2018.

  
\_\_\_\_\_  
Charles W. Riggs, Acting Director  
Division of Non-Depository Institutions  
Department of Financial Institutions

  
\_\_\_\_\_  
Authorized Representative  
HomeTown Lenders, LLC  
License MC93092

**ACKNOWLEDGEMENT**

STATE OF Alabama )  
 )  
COUNTY OF Madison )

On this the 3<sup>rd</sup> day of April, 2018, before me  
Kenneth J. Wilson, Jr., the undersigned,  
\_\_\_\_\_, did personally  
appear and acknowledge himself/herself to be the authorized representative for  
HomeTown Lenders, LLC and that he/she, entered into and executed the foregoing  
instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: My Commission Expires  
September 1, 2020

  
\_\_\_\_\_  
Notary Public



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this Agreed Order was served by certified mail, return receipt request, on:

Mr. Joe Wilson, General Counsel  
HomeTown Lenders, LLC  
310 The Bridge Street, 4<sup>th</sup> Floor, Suite A  
Huntsville, AL 35806

AND

By hand-delivery to:

Hon. Gary W. Adkins  
Kentucky Department of Financial Institutions  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601

On this 9<sup>th</sup> day of APRIL, 2018.

*Allison E. Evans by Leo Kelly*

\_\_\_\_\_  
Allison E. Evans  
Kentucky Department of Financial Institutions  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601