

**COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
ADMINISTRATIVE AGENCY ACTION NO. 2010-AH-1088**

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**FINAL ORDER**

JONATHAN J. MORGAN

RESPONDENT

**STATEMENT OF FACTS**

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

2. Jonathan Morgan (“Morgan”) is an individual whose last known address is 836 Breckenridge Lane, Louisville, KY 40207.

3. Pursuant to the Act, the DFI issued a subpoena to Envision Lending Group, Inc. in December 2008 to determine whether the activities of Envision Lending Group, Inc. were in compliance with applicable laws and regulations; whether the practices and policies of Envision Lending Group, Inc. had a potentially adverse impact on prospective borrowers; and whether the business was being operated efficiently, fairly, and in the public interest.

4. Based on the documents produced by Envision Lending Group, Inc., the DFI discovered that Morgan originated multiple mortgage loans on Kentucky properties in 2008.

5. Morgan was not registered with the DFI as a mortgage loan originator in 2008.

6. On August 4, 2010, the DFI filed an Administrative Complaint against Morgan seeking the imposition of a twenty-five thousand dollar fine for his violations of the Act. The Administrative Complaint was mailed to Morgan's last known address by certified mail return receipt requested.

7. On August 10, 2010, the DFI received notification from the U.S. Post Office that the Administrative Complaint was received at Morgan's last known mailing address on August 5, 2010.

8. Morgan did not file an answer to the Administrative Complaint or otherwise ask for a hearing within twenty (20) days of service of the Administrative Complaint.

#### **STATUTORY AUTHORITY**

9. Pursuant to KRS 286.8-030(1)(c), "it is unlawful for any natural person to transact business in Kentucky, either directly or indirectly, as a mortgage loan originator or mortgage loan processor, unless otherwise exempted, if the mortgage loan originator or mortgage loan processor is not registered in accordance with KRS 286.8-255."

10. Pursuant to KRS 286.8-255(1), "no natural person shall transact business in Kentucky, either directly or indirectly, as a mortgage loan originator or mortgage loan processor unless such mortgage loan originator or mortgage loan processor is registered with the office and has been issued a current certificate of registration by the office, complies with all applicable requirements of this subtitle, and maintains a valid unique identifier issued by the Nationwide Mortgage Licensing System and Registry."

11. Pursuant to KRS 286.8-046(1), the Executive Director may assess a fine of not less than one thousand dollars (\$1,000) nor more than twenty-five thousand dollars (\$25,000) per violation, “plus the state’s costs and expenses for the examination, investigation, and prosecution of the matter, including reasonable attorney’s fees and court costs” against any mortgage loan company or mortgage loan broker that violates any provision of the Act or accompanying regulations.

### **LEGAL CONCLUSIONS**

12. Morgan violated KRS 286.8-030(1)(c).

### **ORDER**

**THEREFORE**, based upon the foregoing statement of facts, statutory authority, and legal conclusions, the Commissioner **HEREBY ORDERS**:

1. The Respondent, Jonathan Morgan, shall pay a fine in the amount of twenty-five thousand dollars (\$25,000) for violation(s) of the Act.

2. This is a **FINAL ORDER**.

This **ORDER** shall become effective upon completion of service as set forth in KRS 13B-050(2).

**NOTICE OF APPEAL RIGHTS**

Pursuant to KRS 13B.140, you are hereby notified that you have the right to appeal this Final Order of the Commissioner. If you choose to appeal, you must file a written Notice of Appeal with the Franklin Circuit Court within thirty (30) days after entry of this Order.

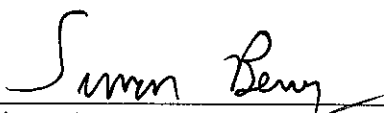
IT IS SO ORDERED on this the 1<sup>st</sup> day of September 2010.

  
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CHARLES A. VICE  
COMMISSIONER

**Certificate of Service**

I hereby certify that a copy of the foregoing **Final Order** was sent by certified mail return receipt requested on this the 2<sup>nd</sup> day of September, 2010, to the following:

Jonathan Morgan  
836 Breckenridge Lane  
Louisville, KY 40207

  
\_\_\_\_\_  
Simon Berry  
Department of Financial Institutions  
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(502) 573-3390 Ext. 232  
(502) 573-2183 (facsimile)