

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2010-AH-040  
ADMINISTRATIVE ACTION NO. 10-PPC-0184

RECEIVED

SEP 14 2010

ON  
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DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**AGREED ORDER**

JUSTIN BEASLEY

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. Justin Beasley ("Beasley") is an individual residing in Kentucky

3. Pursuant to the Act, the DFI conducted an examination of Blackhorse Mortgage Corporation in December 2009 to determine whether the activities of Blackhorse Mortgage Corporation were in compliance with applicable laws and regulations; whether the practices and policies of Blackhorse Mortgage Corporation had a potentially adverse impact on prospective borrowers; and whether the business was being operated efficiently, fairly, and in the public interest.

4. During the examination, the DFI discovered that Beasley originated two (2) mortgage loans in November 2007 while employed by Blackhorse Mortgage Corporation.

5. Beasley was not registered with the DFI as a mortgage loan originator in November 2007.

### LEGAL CONCLUSIONS

6. 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."

7. 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."

8. Beasley violated KRS 286.8-030(1)(c).

9. Pursuant to KRS 286.8-046(1), the Executive Director may assess a fine "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 person that violates any provision of the Act or accompanying regulations.

## AGREEMENT

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

a. Beasley agrees to a fine assessment in the amount of five hundred dollars (\$500.00) for the violation(s) described herein;

b. Beasley agrees to and shall pay the total fine assessed herein of five hundred dollars (\$500). 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: Simon Berry, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601.

11. Beasley waives his right to demand a hearing at which he would be entitled to legal representation, to confront and cross examine witnesses, and to present evidence on his own behalf, or to otherwise appeal or set aside this Order.

12. Beasley 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.

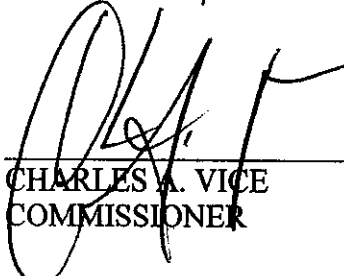
13. In consideration of execution of this Agreed Order, Beasley for himself, and for his successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, the DFI, Office of Legal Services, and each of their members, agents, and employees in their individual capacities, from 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 Beasley 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.

14. 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.

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

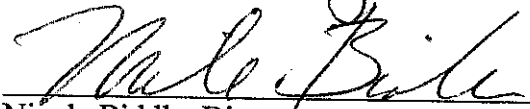
**IT IS SO ORDERED** on this the 19 day of September, 2010.

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

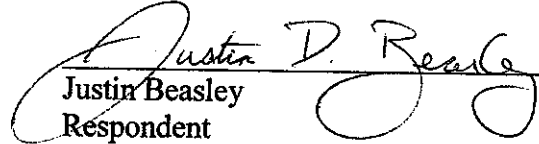
**Consented to:**

This 30<sup>th</sup> day of August 2010.

This 6<sup>th</sup> day of September 2010



Nicole Biddle, Director  
Division of Nondepository Institutions  
Department of Financial Institutions



Justin Beasley  
Respondent

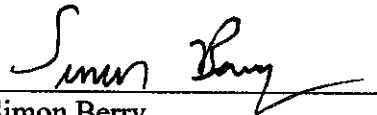
**Certificate of Service**

I hereby certify that a copy of the foregoing **Agreed Order** was sent by certified mail return receipt requested on this the 21<sup>st</sup> day of September, 2010, to the following:

Justin Beasley  
11401 N Tazwell Drive  
Louisville, KY 40241

and by messenger mail to

Hon. Michael Head  
Division of Administrative Hearings  
Office of the Attorney General  
1024 Capital Center Drive  
Frankfort, Kentucky 40601



Simon Berry  
Department of Financial Institutions  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601  
(502) 573-3390 Ext. 232  
(502) 573-2183 (facsimile)