

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2008-AH-263

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

FINAL ORDER
REVOKING LICENSE

KEMPER MORTGAGE, INC.

RESPONDENT

Statement of Facts

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

2. Respondent applied for and was issued a mortgage broker license by DFI for the purpose of engaging in the mortgage broker business in the Commonwealth of Kentucky at a principal office located at 2 Prestige Place, Suite 400, Miamisburg, Ohio 45342, and a branch located at 3030 N. Rocky Point Drive West, Suite 530, Tampa, Florida 33607.

3. DFI received a notice from Hartford Fire Insurance Company on August 21, 2008, indicating that the surety bond for Respondent had been cancelled. Since that time, DFI has not received proof of bond from Respondent.

4. On October 10, 2008, DFI filed an Administrative Complaint against Respondent seeking revocation of Respondent’s license to do business as a mortgage loan broker in the Commonwealth of Kentucky for violation of Chapter 286.8-060 of the

Kentucky Revised Statutes. Respondent failed to respond to the complaint, and therefore no hearing was requested in this matter.

Statutory Authority

1. Pursuant to KRS 286.8-060, a mortgage loan broker is required to post and maintain a surety bond in the amount of not less than fifty thousand dollars (\$50,000).

2. Pursuant to KRS 286.8-090, the commissioner may deny, suspend, or revoke any license when the applicant or licensee does not meet or has failed to comply with the requirements of KRS 286.8, does not conduct his business in accordance with law or the method of business includes or would include activities which are illegal where performed, or has willfully violated any provision of KRS 286.8 or any regulation thereunder, or has been guilty of fraud in connection with any transaction governed by KRS 286.8.

Conclusions

Based upon the foregoing, the commissioner has determined as follows:

1. Respondent applied for and was issued a mortgage loan broker license by DFI for the purpose of engaging in the mortgage loan broker business in the Commonwealth of Kentucky at a principal office located at 2 Prestige Place, Suite 400, Miamisburg, Ohio 45342, and a branch located at 3030 N. Rocky Point Drive West, Suite 530, Tampa, Florida 33607.

2. Respondent violated KRS 286.8-060 by failing to maintain a surety bond in the amount of not less than fifty thousand dollars (\$50,000), and thus, Respondent's license as a mortgage loan broker is subject to being revoked pursuant to KRS 286.8-090(1)(a).

3. Despite being properly served with an Administrative Complaint on October 14, 2008, Respondent failed to respond to the Complaint or request a hearing within twenty (20) days of service of the complaint as required by KRS 286.8-044.

Order

THEREFORE, based upon the foregoing statement of facts, statutory authority, and conclusions, the executive director **HEREBY ORDERS** as follows:

1. That the mortgage loan broker license held by **Kemper Mortgage, Inc.** at a principal office located at 2 Prestige Place, Suite 400, Miamisburg, Ohio 45342, and a branch located at 3030 N. Rocky Point Drive West, Suite 530, Tampa, Florida 33607 is **REVOKED**;

2. That Respondent is prohibited from conducting business in Kentucky as a mortgage loan company or mortgage loan broker without being properly licensed or otherwise entitled to an exemption;

3. That Respondent is prohibited from participating in any business activity of a registrant or licensee and from engaging in any business activity on the premises where a licensee or registrant is conducting its business; and

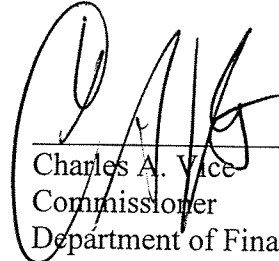
4. This is a **FINAL ORDER**.

This **ORDER** shall become effective upon completion of service as it is 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 10th day of November, 2008.



Charles A. Vice
Commissioner
Department of Financial Institutions
1025 Capital Center Drive, Ste. 200
Frankfort, Kentucky 40601

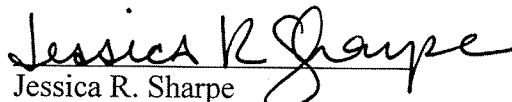
Certificate of Service

I, Jessica R. Sharpe, hereby certify that a copy of the foregoing **Final Order Revoking License** was sent on this the 12th day of November, 2008, by certified mail, return receipt requested, to the following:

Kemper Mortgage, Inc.
2 Prestige Place, Suite 400
Miamisburg, Ohio 45342

Kemper Mortgage, Inc.
3030 N. Rocky Point Drive West
Suite 530
Tampa, Florida 33607

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