

**COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2009-AH-004**

IN THE MATTER OF:
KENTUCKY MORTGAGE PARTNERS, LLC
F/K/A BALL MORTGAGE, LLC

AGREED ORDER

BACKGROUND AND FACTUAL FINDINGS

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

2. Kentucky Mortgage Partners, LLC f/k/a Ball Mortgage, LLC (“Kentucky Mortgage Partners”) formerly held two separate KRS 286.8-020(2)(a) claims of exemption, one under the name of Ball Mortgage, LLC (File # 7494) and one under the name of Kentucky Mortgage Partners, LLC (File #16930). On April 13, 2007, the claim of exemption held under the name of Ball Mortgage, LLC was revoked for failure to submit evidence that it had funded or brokered a minimum of twelve (12) FHA-insured loans on Kentucky properties during the previous calendar year pursuant to KRS 286.8-020(4).

3. Kentucky Mortgage Partners, LLC had changed its name from Ball Mortgage, LLC to Kentucky Mortgage Partners, LLC on June 20, 2005, but neglected to notify DFI that it had ceased doing business as Ball Mortgage, LLC in violation of 808 KAR 12:020.

4. On December 31, 2008, DFI was unable to process Kentucky Mortgage Partners' application to renew its HUD exemption due to the fact that Kentucky Mortgage Partners had a claim of exemption revoked in violation of KRS 286.8-090(2).

AGREEMENT AND ORDER

The Department of Financial Institutions and Kentucky Mortgage Partners, in the interest of economically and efficiently resolving the violations described in the foregoing Background and Factual Findings, agree as follows:

1. Kentucky Mortgage Partners agrees to pay a civil penalty in the amount of one thousand dollars (\$1,000) for the violation set forth above, which 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: Jessica Sharpe, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601 prior to the entry of this Order.

2. Kentucky Mortgage Partners shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.8 and the regulations set forth in 808 KAR Chapter 12.

3. Upon satisfaction of and agreement to the conditions set forth herein, the Commissioner shall set aside the Final Order Revoking Kentucky Mortgage Partners' KRS 286.8-020(2)(a) claim of exemption under the name of Ball Mortgage, LLC (File # 7494) and the claim of exemption under the name of Kentucky Mortgage Partners (File #16930) shall be withdrawn.


4. DFI shall update its current File #7494 to reflect the new name of Kentucky Mortgage Partners, LLC and the current address of 2378 Grandview Drive, Ft. Mitchell, Kentucky 41017. DFI shall also approve Kentucky Mortgage Partners, LLC's application to renew its HUD exemption (File #7494), effective January 1, 2009.

5. In regard to this matter, Kentucky Mortgage Partners waives its right to demand a hearing, at which Kentucky Mortgage Partners would be entitled to legal representation, to confront and cross examine witnesses for the Department of Financial Institutions, and to present evidence on its own behalf, or to otherwise appeal or set aside this Order. Further, Kentucky Mortgage Partners consents to and acknowledges the jurisdiction of the Department of Financial Institutions over this matter and that this Agreement is a matter of public record and may be disseminated as such.

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

IT IS SO ORDERED on this the 26th day of January, 2009.

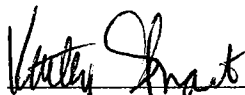
For



Charles A. Vice
Commissioner

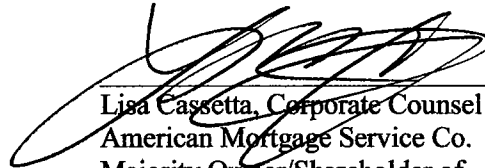
Consented to:

This 23 day of January, 2009.



Kathy Stewart, Director
Division of Financial Institutions
Department of Financial Institutions

This 15th day of January, 2009.



Lisa Cassetta, Corporate Counsel
American Mortgage Service Co.
Majority Owner/Shareholder of
Kentucky Mortgage Partners, LLC

STATEMENT OF AUTHORIZATION


I, **Lisa Cassetta**, state on behalf of Kentucky Mortgage Partners, LLC, that I have read the foregoing Agreed Order; that I know and fully understand its contents; that I am an officer authorized to enter into and execute this Agreed Order on behalf of Kentucky Mortgage Partners, LLC, that Kentucky Mortgage Partners, LLC, agrees freely and without threat of coercion of any kind to comply with the terms and conditions stated herein; and that Kentucky Mortgage Partners, LLC, voluntarily agrees to enter into this Agreed Order, expressly waiving any right to a hearing on the matters described herein.

By: 
Lisa Cassetta, Corporate Counsel
American Mortgage Service Co.

STATE OF Ohio)
COUNTY OF Hamilton)

On this the 15 day of January 2007, before me Deborah L. Leever the undersigned officer, **Lisa Cassetta**, did personally appear and acknowledge herself to be corporate counsel for American Mortgage Service Company, and that she, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.


Notary Public
Date Commission Expires: 12-14-12

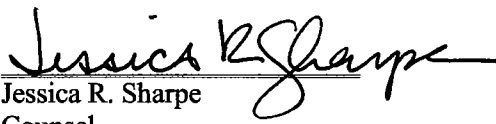


DEBORAH L. LEEVER
Notary Public State of Ohio
My Commission Expires Dec. 14, 2012

Certificate of Service

I, Jessica R. Sharpe, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 8th day of Jan., 2008 by certified mail, return receipt requested, to the following: 9

Ms. Lisa Cassetta
Corporate Counsel
American Mortgage Service Company
11503 Springfield Pike
Cincinnati, Ohio 45246


Jessica R. Sharpe
Counsel
Department of Financial Institutions
1025 Capital Center Drive
Frankfort, Kentucky 40601
(502) 573-3390