

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2014-AH-0142

ENTERED
NOV 25 2014
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

LENDERFI, INC.

RESPONDENT

AGREED ORDER

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

2. Lenderfi, Inc. (“Lenderfi”) is authorized to do business in Kentucky as a licensed mortgage loan company pursuant to Kentucky Revised Statutes Chapter 286.8, with its principal office located at 26010 Mureau Road, Suite 130, Calabasas, CA 91302.

3. On July 18, 2014, DFI conducted a compliance exam of Lenderfi. DFI discovered that Lenderfi had utilized an unregistered loan processor to process mortgage loans in violation of KRS §286.8-030 which prohibits a mortgage loan company from employing or using a loan processor who is not registered in accordance with KRS §286.8-255.

4. The Department possesses a range of administrative authority in addressing violations of Chapter 286.6, including license revocation or denial, the imposition of fines in an amount up to \$25,000 per violation, and settlement. *See* KRS §286.8-046; §286.8-090.

5. In this case, the Department assessed a fine against Lenderfi in the amount of one thousand dollars (\$1,000.00) for utilizing an unregistered loan processor to process Kentucky loans in violation of KRS §286.8-030.

6. In the interest of economically and efficiently resolving the violation described herein, DFI and Lenderfi agree as follows:

a. Lenderfi agrees to a fine assessment in the amount of one thousand dollars (\$1,000.00) for the violations described herein;

b. Lenderfi agrees to and shall pay one thousand dollars (\$1,000) of the total fine assessed herein upon the entry of this Order, 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: Non-Depository Division, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601; and

c. Lenderfi agrees to register with DFI all individuals who process mortgage loans on Kentucky properties on its behalf.

d. Lenderfi 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.

7. Lenderfi 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. Lenderfi consents to and acknowledges the jurisdiction of the Department of Financial Institutions over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

9. In consideration of execution of this Agreed Order, Lenderfi for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, Department of Financial Institutions, 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 Lenderfi 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.

10. By signing below, the parties acknowledge that they are authorized to execute this Order and legally bind their respective parties.

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

IT IS SO ORDERED on this the 25th day of November, 2014.


CHARLES A. VICE *on behalf of Charles Vice*
COMMISSIONER

Consented to:

This 24th day of November, 2014.

This 20th day of November, 2014.

Tammy R. Scruggs

Tammy Scruggs, Director
Division of Non-Depository Institutions
Department of Financial Institutions

[Signature]

Authorized Representative
Lenderfi, Inc.

ACKNOWLEDGEMENT

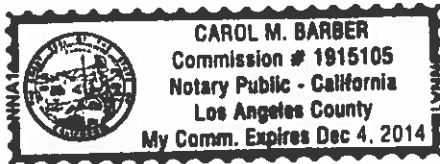
STATE OF California)
)
COUNTY OF Los Angeles)

On this the 20 day of November, 2014, before me Carol M. Barber ^{Notary Public}, the undersigned, Tomislav G. Basic, did personally appear and acknowledge himself/herself to be the authorized representative of Lenderfi, Inc. and that he/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.

My Commission Expires: December 04, 2014

Carol M. Barber
Notary Public



Certificate of Service

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 25 day of November, 2014, by certified mail, return receipt requested, to the following:

Ryan Scholer
26010 Mureau Road, Suite 130
Calabasas, CA 91302

And by hand-delivery to:

Katherine W. Ross
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601
Counsel for the Department

A handwritten signature in black ink, appearing to read "CH Hayden", written over a horizontal line.

Christina Hayden
Department of Financial Institutions