

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2017-AH-00053



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

MGFH, INC. d/b/a CASH 4 U
(Lic. No.: CC22006)

RESPONDENT

AGREED ORDER

1. The Department of Financial Institutions (“DFI”) is responsible for regulating and licensing entities engaged in the business of cashing checks and accepting deferred deposit transactions in accordance with the provisions set forth in KRS Chapter 286.9.

2. MGFH, Inc. d/b/a Cash 4 U (“Respondent”) is authorized to do business in Kentucky as a deferred deposit and check cashing licensee pursuant to KRS Chapter 286.9, with an office located 1422A US 68 South, Maysville, Kentucky 41056 with deferred deposit license No.: CC22006. (ICIE No.: 384214)

3. DFI conducted an investigation of Respondent in May of 2017, after becoming aware of a potential change of control for Respondent. During this investigation, DFI discovered the Respondent had undergone a change of control in early 2016, without prior approval from DFI, in violation of KRS 286.9-070, which requires that a licensee “shall file a written request for a change of control ... at least fifteen (15) days prior to any change of control of the licensee.” DFI’s investigation also revealed that Respondent failed to disclose this change of control to DFI during Respondent’s annual examination on November 21, 2016, in violation of KRS 286.9-104, which requires a licensee to file an annual report disclosing, *inter alia*, “The names and addresses of each person owning a controlling interest in the licensee.”

4. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, as well as the imposition of civil penalties in an amount up to \$5,000 per violation. *See* KRS 286.9-110; 286.9-991.

5. In this case, the DFI assessed a civil penalty against Respondent in the amount of one thousand dollars (\$1,000) for the above-described violations of KRS 286.9-070 and 286.9-104.

6. In the interest of economically and efficiently resolving the violations described herein, and without Respondent admitting or denying the statements of fact and legal conclusions herein, DFI and Respondent agree as follows:

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

b. Respondent agrees to and shall pay the total civil penalty assessed herein of one thousand dollars (\$1,000), which shall be due upon entry of the Agreed Order. 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: NonDepository Division – Agreed Order, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601; and

c. Respondent shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.9.

7. Respondent 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. Respondent 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.


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

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

IT IS SO ORDERED on this the 30 day of January, 2018.


CHARLES A. VICE
COMMISSIONER



Consented to:

This 29th day of January, 2018.

This 5th day of January, 2018.

Tammy R. Scruggs
Tammy Scruggs, Director
Division of NonDepository Institutions
Department of Financial Institutions

[Signature]
Authorized Representative
MGFH, Inc. d/b/a Cash 4 U
Deferred Deposit License No.: CC22006

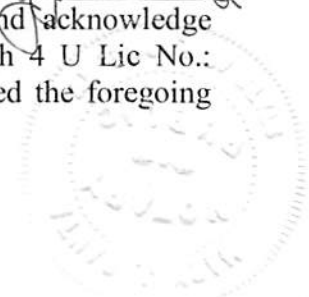
ACKNOWLEDGEMENT

STATE OF Kentucky)
COUNTY OF Mason)

On this the 5 day of Dec, 2018, before me Maryl Banta
the undersigned, Frank Hook, did personally appear and acknowledge
himself/herself to be the authorized representative of MGFH, Inc. d/b/a Cash 4 U Lic No.:
CC22006 and that he/she, being authorized to do so, entered into and executed the foregoing
instrument for the purposes therein contained.

My Commission Expires: _____
MY COMMISSION EXPIRES
August 19, 2019
Notary ID 539088

Maryl Banta
Notary Public



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 30th day of January, 2018, by certified mail, return receipt requested, to:

Frank Hook
MGFH Inc., d/b/a Cash 4 U
1422A US 68 South
Maysville, Kentucky 41056

And by Hand-Delivery to:

Mr. Stuart D. Michael
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601
Counsel for Department of Financial Institutions



Kentucky Department of Financial Institutions