

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
ADMINISTRATIVE AGENCY ACTION NO. 2010-AH-1113

JAN 31 2011

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**AGREED ORDER**

MATTHEW CLAYTON

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. Matthew Clayton (“Clayton”) is an individual whose last known address is 7526 Laurel Canyon Blvd, Unit 105, N Hollywood, CA 91605.

3. Pursuant to the Act, the DFI conducted an examination of One Reverse Mortgage, LLC on February 10, 2010 to determine whether the activities of One Reverse Mortgage were in compliance with applicable laws and regulations; whether the practices and policies of One Reverse Mortgage 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 Clayton took a loan application on a Kentucky property while employed by One Reverse Mortgage in January 2009.

5. Clayton was not registered with the DFI as a mortgage loan originator in January 2009.

### VIOLATIONS

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. Clayton violated KRS 286.8-030(1)(c) by performing the acts set forth in paragraph four (4).

9. Pursuant to KRS 286.8-046(2), the Executive Director may direct such other affirmative action as deemed necessary against any person who violates any provision of the Act or accompanying regulations.

## AGREEMENT

10. In the interest of economically and efficiently resolving the violation(s) described herein and avoid the expense, inconvenience, and uncertainty of further administrative proceedings, and without Clayton admitting or denying the findings of fact and conclusions of law set forth herein, the DFI and Clayton agree as follows:

a. Clayton agrees to a fine assessment in the amount of five hundred dollars (\$500.00) for the violation(s) described herein. The fine shall be paid as follows:

1. \$125 upon execution of this agreement;
2. \$125 no later than February 1, 2011;
3. \$125 no later than March 1, 2011;
4. \$125 no later than April 1, 2011;

The payments 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. Clayton 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. Clayton 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, Clayton 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 Clayton 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 4<sup>th</sup> day of February, 2011.

  
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CHARLES A. VICE  
COMMISSIONER

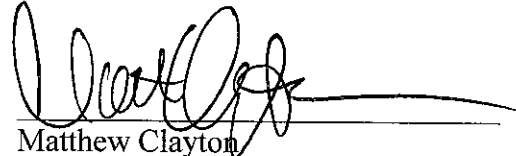
**Consented to:**

This 10<sup>th</sup> day of January, 2011.



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

This 15<sup>th</sup> day of January 2011

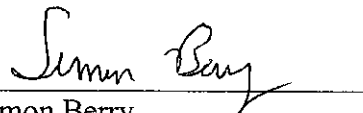


Matthew Clayton  
Respondent

**Certificate of Service**

I hereby certify that a copy of the foregoing **Agreed Order** was sent by certified mail return receipt requested and ~~by regular mail~~ on this the 4<sup>th</sup> day of January, 2011, to the following: February

Matthew Clayton  
7526 Laurel Canyon Blvd  
Unit 105  
N Hollywood, CA 91605



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