

**COMMONWEALTH OF KENTUCKY  
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET  
OFFICE OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2008-AH-200**

OFFICE OF FINANCIAL INSTITUTIONS

COMPLAINANT

VS.

MIKE NUTTER HOMES  
3250 Spring Hollow Ave.  
Bowling Green, KY 42104

RESPONDENT

**SETTLEMENT AGREEMENT AND ORDER**

**BACKGROUND AND FACTUAL FINDINGS**

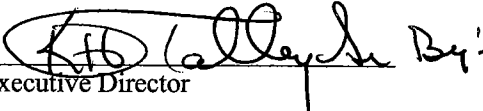
1. The Kentucky Office of Financial Institutions (“OFI”) is responsible for regulating, registering, and licensing mortgage loan companies, mortgage loan brokers and loan officers/originators in accordance with the provisions of KRS Chapter 286.8.
2. Respondent is not currently licensed as a mortgage loan broker or mortgage loan company pursuant to Chapter 286.8 of the Kentucky Revised Statutes, nor does it hold any claims of exemption pursuant to KRS 286.8-020(3).
3. On March 31, 2008, OFI issued an Order to Cease and Desist and Show Cause against Respondent for maintaining a website which offered to finance and originate residential mortgage loans on homes built by Respondent.
4. On April 14, 2008, Respondent issued a response to the Order to Cease and Desist and Show Cause. In the response, Respondent stated that the website referred to in the Order was shut down, that Respondent did not intend to hold itself out as a mortgage loan company or mortgage loan broker, and that Respondent does not now, nor has it ever, transacted business in Kentucky as a mortgage loan company or a mortgage loan broker.

**AGREEMENT AND ORDER**

The Office of Financial Institutions and Mike Nutter Homes, in the interest of economically and efficiently resolving the issues raised in the foregoing Background and Factual Findings, agree as follows:

1. Mike Nutter Homes agrees that it will not transact or solicit business in Kentucky, either directly or indirectly, as a mortgage loan company or mortgage loan broker without being properly licensed under Chapter 286.8 of the Kentucky Revised Statute or otherwise entitled to an exemption from licensure.
2. OFI deems the terms and conditions set forth in the March 31, 2008, Order to Cease and Desist and Show Cause satisfied.
3. In regard to this matter, Mike Nutter Homes waives its right to demand a hearing, where it would be entitled to legal representation, to confront and cross examine witnesses for the Office of Financial Institutions, and to present evidence on its own behalf. Further, Mike Nutter Homes consents to and acknowledges the jurisdiction of the Office of Financial Institutions over this matter and that this Agreement is a matter of public record and may be disseminated as such.
4. This settlement agreement shall constitute the final order in this matter.

**IT IS SO ORDERED** on this the 2nd day of May, 2008.


  
Executive Director

Consented to:


This 30<sup>th</sup> day of April, 2008

  
\_\_\_\_\_  
David Coyle, Director  
Division of Financial Institutions  
Office of Financial Institutions

This 22<sup>nd</sup> day of April, 2008

  
\_\_\_\_\_  
Mike Nutter Homes  
By: Mike Nutter

This 23<sup>rd</sup> day of April, 2008

  
\_\_\_\_\_  
Gina N. McIntosh  
Attorney for Mike Nutter Homes