

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2011-AH-0194



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

MORTGAGE LENDERS OF AMERICA, LLC

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 (the “Act”).

2. Mortgage Lenders of America (“Respondent”) is authorized to do business in Kentucky as a mortgage company pursuant to the Act, with its office located at 8400 West 110th Street, Suite 500, Overland Park, KS 66210. The license number is MC23280.

3. DFI conducted an examination of Respondent’s office on July 11, 2011. As a result of the examination, DFI alleges that Respondent had utilized unregistered loan processors to process mortgage loans in Kentucky, in violation of KRS 286.8-030.

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

5. In this case, DFI agrees to a settlement with Respondent in the amount of three thousand dollars (\$3,000.00) for utilizing unregistered loan processors in Kentucky.

6. Respondent acknowledges the allegations but does not admit to any violations. In the interest of economically and efficiently resolving the violation(s) described herein, DFI and Respondent agree as follows:

- a. Respondent agrees to a settlement in the amount of three thousand dollars (\$3,000.00) for the violation(s) described herein;
- b. Respondent has previously paid the total agreed settlement amount herein of three thousand dollars (\$3,000.00) prior to the entry of this Order;
- c. Respondent shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in the Act and the regulations set forth in 808 KAR Chapter 12.

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.

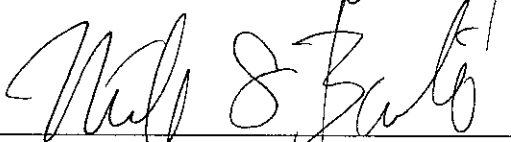
IT IS SO ORDERED on this the 6th day of JANUARY, 2012.



CHARLES A. VICE
COMMISSIONER

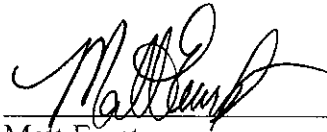
Consented to:

This 4th day of JANUARY, 2011.



Nicole S. Biddle, Director
Division of Non-Depository Institutions
Department of Financial Institutions

This 29th day of DECEMBER, 2011.



Matt Ernst
Vice President of Operations
Mortgage Lenders of America, LLC

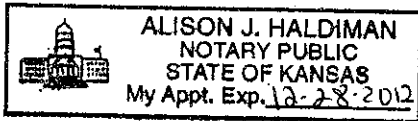
ACKNOWLEDGEMENT

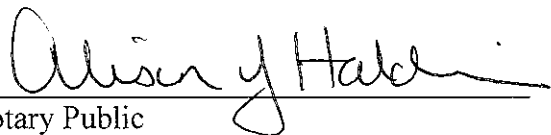
STATE OF KANSAS)
)
COUNTY OF JOHNSON)

On this the 29th day of DECEMBER, 2011, before me ALISON HALDIMAN, the undersigned, **Matt Ernst**, did personally appear and acknowledge himself to be the authorized representative of Mortgage Lenders of America, LLC and that he, 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: 12-28-2012

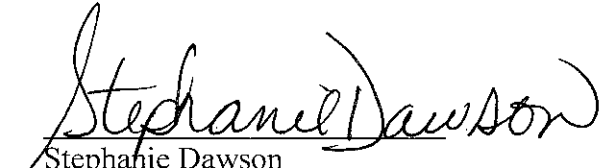



Notary Public

Certificate of Service

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 8th day of January, 2011, by certified mail, return receipt requested, to the following:

Matt Ernst
Vice President of Operations
Mortgage Lenders of America, LLC
8400 West 110th St.
Suite 500
Overland Park, KS 66210


Stephanie Dawson
Department of Financial Institutions