

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2016-AH-00035

ENTERED
APR 11 2016
9:22 a.m.
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

MORTGAGE LENDERS OF AMERICA, LLC
(LICENSE #: MC23280)

RESPONDENT

* * * * *

1. The Department of Financial Institutions ("DFI") is responsible for regulating and licensing entities engaged in mortgage loan brokering, origination and processing in accordance with the provisions set forth in KRS Chapter 286.8.

2. Mortgage Lenders of America, LLC ("Respondent") is authorized to do business in Kentucky as a mortgage company licensee, pursuant to KRS Chapter 286.8, with an office located at 10975 El Monte Street, Overland Park, Kansas 66211. The Respondent's Mortgage License Number is: MC23280 (ICIE #: 357029).

3. DFI conducted a routine examination of Respondent on November 23, 2015. During the examination, DFI discovered that the Respondent employed one (1) unregistered loan processor, in violation of KRS 286.8-030(1)(c) and KRS 286.8-030(1)(d).

4. DFI possesses a range of administrative authority in addressing statutory and regulatory violations, including license revocation or denial, suspension or the imposition of civil penalties. See KRS 286.8-046 and KRS 286.8-090.

5. In this case, the DFI assessed a civil penalty against Respondent in the amount of **TWO THOUSAND DOLLARS (\$2,000.00)** for the above-described violation of KRS 286.8.

6. In the interest of economically and efficiently resolving the violation(s) 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 **TWO THOUSAND DOLLARS (\$2,000.00)** for the violation described herein;

b. Respondent agrees to and shall pay the total civil penalty assessed herein of **TWO THOUSAND DOLLARS (\$2,000.00)**, 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: Non-Depository Division - ORDER, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601;**

c. Respondent shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.8.

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 Agreed 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. Respondent agrees to cease and desist from using unlicensed mortgage loan processors in the Commonwealth of Kentucky until such time as the requirements of KRS Chapter 286.8 are met.

10. 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.

11. 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.

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

IT IS SO ORDERED on this the 11th day of April, 2016.



CHARLES A. VICE
COMMISSIONER

CONSENTED TO:

This 6th day of April, 2016. This 1st day of April, 2016.

Tammy R. Scruiggs
Tammy Scruiggs, Director
Division of Non-Depository Institutions
Department of Financial Institutions

[Signature]
Authorized Representative
Mortgage Lenders of America, LLC
(License #: MC23280)

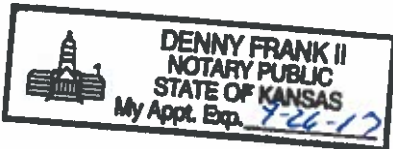
ACKNOWLEDGEMENT

STATE OF Kansas)
)
COUNTY OF Johnson)

On this the 1st day of April, 2016, before me Paul D'Agostino, the undersigned, Authorized Representative, did personally appear and acknowledge himself/herself to be the authorized representative of **Mortgage Lenders of America, LLC (License #: MC23280)**, and that he/she, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 4-26-17

[Signature]
Notary Public



CERTIFICATE OF SERVICE

12 I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the
day of April, 2016, by certified mail, return receipt requested, to:

Paul D'Agostino
Vice-President, Compliance
Mortgage Lenders of America, LLC
10975 El Monte Street
Overland Park, Kansas 66211

And by Hand-Delivery to:

Hon. Tiffany J. Bowman
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601
Attorney for the Kentucky Department of Financial Institutions



Kentucky Department of Financial Institutions