

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2014-AH-159

ENTERED
DEC 15 2014
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

v.

POLARIS HOME FUNDING CORPORATION

RESPONDENT

AGREED ORDER

* * * * *

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

2. Polaris Home Funding Corporation (“Respondent”) is authorized to do business in Kentucky as a mortgage company licensee pursuant to KRS Chapter 286.8, with an office located at 3699 Alexandria Pike, Suite D, Cold Spring, Kentucky 41076. Respondent’s license number for this location is MC79061.

3. The DFI conducted an examination of the Respondent on July 14, 2014 and discovered that in February through June 2013 Respondent employed an unregistered person who acted as a loan processor on behalf of Respondent for two Kentucky loans in violation of KRS 286.8-030(1)(c) and 286.8-255(1).

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

5. In this case, the DFI assessed a fine against Respondent in the amount of one thousand dollars (\$1,000.00) for the above-described violations of KRS 286.8.

6. In the interest of economically and efficiently resolving the violation(s) described herein, the DFI and Respondent agree as follows:

a. Respondent agrees to, and shall pay the total fine assessed herein of one thousand dollars (\$1,000). The payment shall be due when Respondent signs and returns 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, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601; and

b. 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 the DFI over this matter, and acknowledges 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, the DFI, the 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.

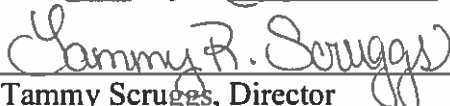
10. By signing below, the parties acknowledge they have read the foregoing Agreed Order, know and fully understand its contents, and that they are authorized to enter into and execute this Agreed Order and legally bind their respective parties.

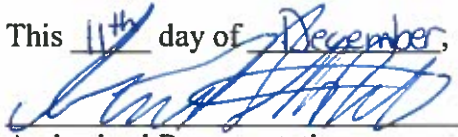
11. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 15th day of December, 2014.


CHARLES A. VICE
COMMISSIONER
on behalf of Charles Vice

Consented to:

This 12th day of December, 2014.

Tammy Scruggs, Director
Division of Non-Depository Institutions
Department of Financial Institutions

This 11th day of December, 2014.

Authorized Representative
Polaris Home Funding Corporation

ACKNOWLEDGEMENT

STATE OF Michigan)
)
COUNTY OF Ottawa)

On this the 11th day of December, 2014, before me Jo Berends, the undersigned, Duane D. Vander Ark, did personally appear and acknowledge himself/herself to be the authorized representative for Polaris Home Funding Corporation and that he/she, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: 05-28-2017

JO BERENDS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OTTAWA
My Commission Expires May 28, 2017
Acting in the County of Ottawa


Notary Public

Certificate of Service

I, Christina Hayden, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 15 day of December, 20 14 by certified mail, return receipt requested, to the following:

Polaris Home Funding Corporation
O-151 44th Street SW
Grandville, Michigan 49418
Attn: Duane Vander Ark

Via hand-delivery to:

John C. Allender
1025 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601



Christina Hayden
Department of Financial Institutions