## COMMONWEALTH OF KENTUCKY PUBLIC PROTECTION CABINET DEPARTMENT OF FINANCIAL INSTITUTIONS AGENCY CASE NO. 2010-AH-497

SEP **07** 2010

IN THE MATTER OF: PREFERRED MORTGAGE CONSULTANTS, INC. 120 WEST AURORA ROAD, SUITE A NORTHFIELD, OH 44067

## AGREED ORDER

## **BACKGROUND AND FACTUAL FINDINGS**

- 1. Preferred Mortgage Consultants, Inc. ("Preferred Mortgage") is a company in the residential mortgage business and whose principal office is located at 120 West Aurora Road, Suite A, Northfield, Ohio 44067.
- 2. The Department of Financial Institutions (the "Department") is the agency in Kentucky charged with the enforcement of KRS Chapter 286.8, the Mortgage Loan Companies and Brokers Act (the "Act")..
- 2. On January 27, 2010, an examination was conducted into the condition, workings and affairs of Preferred Mortgage's office in order to determine whether: (1) it was in compliance with applicable laws and regulation; (2) its practices and policies had an adverse impact on prospective borrowers; and (3) it was being operated efficiently, fairly, and in the public interest.
- 3. In the course of that examination it was discovered that Oxford violated Chapter 286.8 of the Kentucky Revised Statutes by employing or using two unregistered individuals to process mortgage loans in Kentucky in violation of KRS 282.8-255.

## AGREEMENT AND ORDER

The Department of Financial Institutions and Preferred Mortgage, in the interest of economically and efficiently resolving the violations described in the foregoing Background and Factual Findings, agree as follows:

- 1. Preferred Mortgage agrees to pay a fine in the amount of Two Thousand Dollars (\$2,000) for the violations set forth above, which shall be made payable to the "Kentucky State Treasurer" and mailed to the Department of Financial Institutions, Attn: William Owsley, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601. Payment of this fine shall be due within thirty (30) days from the date of entry of this Order.
- 2. In regard to this matter, Preferred Mortgage waives its right to demand a hearing, at which Preferred Mortgage would be entitled to legal representation, to confront and cross examine witnesses for the Department of Financial Institutions, and to present evidence on its own behalf. Further, Preferred Mortgage consents to and acknowledges the jurisdiction of the Department of Financial Institutions over this matter and that this Agreement is a matter of public record and may be disseminated as such.
  - 3. This Settlement Agreement shall constitute the Final Order in this matter.

    IT IS SO ORDERED on this the day of Septents, 2010.

Commissioner

Nicole Biddle, Director

Division of Non-Depository Institutions Department of Financial Institutions

This 31 day of August, 2010

Preferred Mortgage Consultants, Inc.

Its: President

BRIAN DOSKOCIL