

**COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
OFFICE OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2008-AH-018**

OFFICE OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

**FINAL ORDER
REVOKING LICENSE**

PREFERRED FINANCIAL & MORTGAGE, INC.
D/B/A PFM MORTGAGE FUNDING AND
PREFERRED MORTGAGE COMPANY

RESPONDENT

Statement of Facts

1. The Office of Financial Institutions (“OFI”) is responsible for regulating and licensing mortgage loan companies and mortgage loan brokers in accordance with the provisions of KRS Chapter 286.8, the Mortgage Loan Company and Mortgage Loan Broker Act.

2. Respondent applied for and was issued a mortgage broker license (# 538B) by OFI for the purpose of engaging in the mortgage broker business in the Commonwealth of Kentucky at an office located at 10012 Seatonville Road, Louisville, KY 40291.

3. Responded was examined by OFI on February 8, 2007, and was issued an examination fee bill in the amount of \$336.00 which was due by April 8, 2007. Since that time, OFI has not received payment for the fee bill despite numerous attempts to contact Respondent regarding the bill.

4. On March 10, 2008, OFI filed an Administrative Complaint against Respondent seeking revocation of Respondent’s license to do business as a mortgage loan broker in the Commonwealth of Kentucky for violation of Chapter 286.8-170(5) of the

Kentucky Revised Statutes. Respondent failed to respond to the complaint, and therefore no hearing was requested in this matter.

Statutory Authority

5. Pursuant to KRS 286.8-090, the executive director may deny, suspend, or revoke any license when the applicant or licensee does not meet or has failed to comply with the requirements of KRS 286.8.

6. Pursuant to KRS 286.8-170(5), a mortgage loan broker shall pay a fee for each examination conducted by OFI based on fair compensation for time and actual expense.

Conclusions

Based upon the foregoing, the executive director has determined as follows:

1. Respondent applied for and was issued a mortgage broker license (# 538B) by OFI for the purpose of engaging in the mortgage broker business in the Commonwealth of Kentucky at an office located at 10012 Seatonville Road, Louisville, KY 40291.

2. Responded was examined by OFI on February 8, 2007, and was issued an examination fee bill in the amount of \$336.00 which was due by April 8, 2007. Since that time, OFI has not received payment for the fee bill despite numerous attempts to contact Respondent regarding the bill.

3. Respondent violated KRS 286.8-170(5) by failing to pay the fee bill based on fair compensation for time and actual expense, and thus, Respondent's license as a mortgage loan broker is subject to being revoked pursuant to KRS 286.8-090(1)(a).

4. Despite being properly served with an Administrative Complaint on March 12, 2008, Respondent failed to respond to the Complaint or request a hearing within twenty (20) days of service of the complaint as required by 808 KAR 12:030.

Order

THEREFORE, based upon the foregoing statement of facts, statutory authority, and conclusions, the executive director **HEREBY ORDERS** as follows:

1. That the mortgage loan broker license held by **Preferred Financial & Mortgage, Inc. d/b/a PFM Mortgage Funding and Preferred Mortgage Company** is **REVOKED**;

2. That Respondent is prohibited from conducting business in Kentucky as a mortgage loan company or mortgage loan broker without being properly licensed or otherwise entitled to an exemption;

3. That Respondent is prohibited from participating in any business activity of a registrant or licensee and from engaging in any business activity on the premises where a licensee or registrant is conducting its business; and

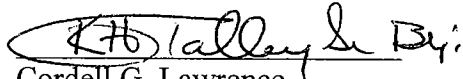
4. This is a **FINAL ORDER**.

This **ORDER** shall become effective upon completion of service as it is set forth in KRS 13B.050(2).

Notice of Appeal Rights

Pursuant to KRS 286.8-210, you are hereby notified that you have the right to appeal this Final Order of the Executive Director. If you choose to appeal, you must file a written Notice of Appeal with the Franklin Circuit Court within sixty (60) days after entry of this Order.

IT IS SO ORDERED on this the 3rd day of April, 2008.

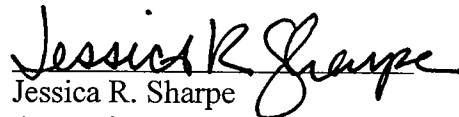

Cordell G. Lawrence
Executive Director
Office of Financial Institutions
1025 Capital Center Drive, Ste. 200
Frankfort, Kentucky 40601

Certificate of Service

I, Jessica R. Sharpe, hereby certify that a copy of the foregoing **Final Order Revoking License** was sent on this the 3rd day of April, 2008, by certified mail, return receipt requested, to the following:

Mr. Wesley Anderson or Registered Agent
Preferred Financial & Mortgage, Inc.
d/b/a PFM Mortgage Funding/Preferred Mortgage Co.
10012 Seatonville Road
Louisville, KY 40291

R. Wesley Anderson
Registered Agent for Preferred Financial & Mortgage, Inc.
d/b/a PFM Mortgage Funding/Preferred Mortgage Co.
7613 E. Manslick Rd.
Louisville, KY 40228


Jessica R. Sharpe
Counsel
Office of Financial Institutions
1025 Capital Center Drive
Frankfort, Kentucky 40601
(502) 573-3390