

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2020-AH-0025

ENTERED
SEP 13 2020
APR 12 PM
COMMISSIONERS OFFICE

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

RESIDENTIAL MORTGAGE FUNDING, INC. (MC701577)

RESPONDENT

* * * * *

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

2. Residential Mortgage Funding, Inc. ("Respondent") is authorized to do business in Kentucky as a mortgage company licensee pursuant to KRS Chapter 286.8, with an office located at 172 N. Tustin Street, Suite 302, Orange, California 92867. Respondent's license number is MC701577. (ICIE# 391841)

3. DFI conducted an examination of Respondent on May 29, 2020. The examination revealed that Respondent conducted activity in the Kentucky mortgage lending process prior to becoming licensed in Kentucky, in violation of KRS 286.8-030.

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

5. In this case, DFI assessed a civil penalty against Respondent in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) for violating KRS 286.8.

6. In the interest of economically and efficiently resolving the violations 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 Five Hundred Dollars (\$2,500.00) for the violations described herein;

b. Respondent agrees to and shall pay the total civil penalty assessed herein of Two Thousand Five Hundred Dollars (\$2,500.00). The payment 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, 500 Mero Street 2SW19, 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 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, Respondent acknowledges it has read the foregoing Agreed Order, knows and fully understands its contents, and that the individual signing on behalf of Respondent is authorized to enter into and execute this Agreed Order and legally bind Respondent.

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

IT IS SO ORDERED on this the 10th day of September, 2020.

Charles A. Vice

Digitally signed by: Charles A. Vice
DN: CN = Charles A. Vice email = Charles.
Vice@ky.gov C = US O = KY DFI OU =
Commissioner's Office
Date: 2020.09.10 15:46:47 -04'00'

CHARLES A. VICE
COMMISSIONER

Consented to:

This ~~20th~~ ^{3rd} day of ~~August~~ ^{September}, 2020.

This ~~20th~~ day of ~~August~~ ^{August}, 2020.

Chad K. Harlan
Chad K. Harlan, Acting Director
Division of Non-Depository Institutions
Department of Financial Institutions

Randy Ito, Randy Ito
Authorized Representative
Residential Mortgage Funding, Inc.
License # MC701577

ACKNOWLEDGEMENT

STATE OF CA)
COUNTY OF ORANGE)

On this the 20 day of August, 2020, before me Suketu R. Bhatt, Notary Public, the undersigned, Randy Ito, did personally appear and acknowledge himself/herself to be the authorized representative for Residential Mortgage Funding, Inc. and that he/she, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 05/23/2023 Suketu R. Bhatt

Notary Public



CERTIFICATE OF SERVICE

13th I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the
day of September, 2020, by certified mail, return receipt requested, to:

Randy Ito
Residential Mortgage Funding, Inc.
172 N. Tustin St., Suite 302
Orange, CA 92867

Via hand-delivery to:

Gary A. Stephens
Staff Attorney
Department of Financial Institutions
500 Mero Street 2SW19
Frankfort, Kentucky 40601

Kentucky Department of Financial Institutions

Name: Alison Reed

Title: Executive Staff Advisors