

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2017-AH-00056



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

v.

ROBERT LIBERTY

RESPONDENT

**AGREED ORDER**

1. The Department of Financial Institutions (“DFI”) is responsible for regulating and licensing mortgage loan companies and brokers, and regulating and registering mortgage loan originators in accordance with the provisions set forth in KRS Chapter 286.8 and applicable regulations.

2. Respondent has been a registered mortgage loan originator [REDACTED] # 19112) in the Commonwealth of Kentucky since 2007.

3. On April 28, 2016, DFI received a complaint against Respondent.

4. After receiving the above referenced complaint, DFI opened an investigation of Respondent. During the course of the investigation, DFI discovered that Respondent was contracted as an agent of Fidelity National Title Insurance Group (“Fidelity”) through Respondent’s business entity, National Title Insurance Services, LLC (“NTIS”). Respondent’s role as agent was to issue title insurance policies after collecting funds from customers upon completion of the mortgage closing process.

5. Between June 1, 2015 and October 31, 2016, Respondent, acting as agent for Fidelity was contracted for and accepted payment for seventy (70) title insurance policies.

Respondent failed to provide the title insurance policies to customers as part of the mortgage lending process. Ultimately, Fidelity's main office provided the policies to the customers at a later date.

6. Pursuant to KRS 286.8-220(2)(i), it shall be unlawful for any person, in connection with a transaction involving the mortgage lending process, or in connection with the operation of a mortgage loan business or the management or servicing of mortgage loans, directly or indirectly, to fail to comply with state or federal laws, including the rules and regulations thereunder, that are applicable to transacting business in Kentucky.

7. DFI possesses a range of administrative authority in addressing violations of the Act, including registration revocation or denial, the imposition of fines in an amount up to \$25,000 per violation, and settlement. *See* KRS 286.8-090 and KRS 286.8-046.

8. Respondent, in the interest of economically and efficiently resolving this matter, agrees as follows:

- a. Respondent violated the provisions of KRS 286.8-220(2)(i) and,
- b. agrees to pay a civil penalty assessment in the amount of one thousand dollars (\$1,000.00) for the violation described herein.

9. Respondent waives his right to demand a hearing at which he would be entitled to legal representation, to confront and cross examine witnesses, and to present evidence on his own behalf, or to otherwise appeal or set aside this Agreed Order.

10. 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.

11. In consideration of execution of this Agreed Order, Respondent for himself, and for his 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.

12. By signing below, Respondent acknowledges he has read the foregoing Agreed Order and knows and fully understand its contents.

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

IT IS SO ORDERED on this the 4<sup>th</sup> day of September, 2018.



CHARLES A. VICE  
COMMISSIONER

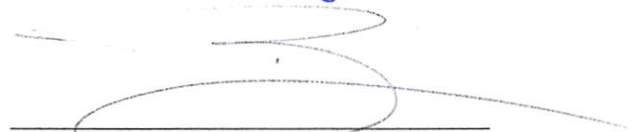
**Consented to:**

This 29<sup>th</sup> day of August, 2018.



Mr. Dorsey Hall, Director  
Division of Non-Depository Institutions  
Department of Financial Institutions

This 26<sup>th</sup> day of August, 2018.



Mr. Robert Liberty

**ACKNOWLEDGEMENT**

STATE OF Kentucky )  
 )  
COUNTY OF Jefferson )

On this the 26<sup>th</sup> day of August, 2018, before me Jennifer Hoersten, the undersigned, Robert Liberty, did personally appear and that he entered into and executed the foregoing instrument for the purposes therein contained.

**JENNIFER HOERSTEN**  
NOTARY PUBLIC  
STATE AT LARGE, KENTUCKY  
ID. # 520635  
MY COMMISSION EXPIRES OCT. 7, 2018



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 4  
day of September, 2018, by certified mail, return receipt requested, to:

Robert Liberty  
4450 Old LaGrange Rd  
Buckner, KY 40010

And

Mr. Garry R. Adams  
CLAY DANIEL WALTON & ADAMS  
462 S. Fourth Street, Suite 101  
Louisville, KY 40202  
(502) 561-2005  
(502) 415-7505 (facsimile)  
[garry@justiceky.com](mailto:garry@justiceky.com)  
*Counsel for Respondent*

Via hand-delivery to:

Catherine Falconer  
1025 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601  
Attorney for Complainant

Kentucky Department of Financial Institutions

Name: Allison Ewan

Title: Executive Staff Advisor