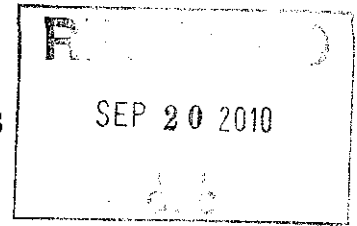


COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2010-AH-1091



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

SECURE AMERICAN MORTGAGE, INC.

RESPONDENT

AGREED ORDER

A. FACTS AND CONCLUSIONS OF LAW

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

2. Secure American Mortgage, Inc. (“Secure American”) is authorized to do business in Kentucky as a licensed mortgage broker (MB 23720) pursuant to the Act, with its principal office located at 4000 Executive Park Drive, Cincinnati, Ohio 45241.

3. During an examination, DFI discovered that Secure American had utilized two unregistered loan officers to originate mortgage loans during the 2009 calendar year in violation of KRS 286.8-030, which prohibits a mortgage loan broker and/or company from employing or using a loan officer who is not registered in accordance with KRS 286.8-255.

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

5. In this case, DFI assessed a fine against Secure American in the amount of one thousand dollars (\$1,000.00) for its violation of KRS 286.8-030.

AGREEMENT

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

a. Secure American agrees to a fine assessment in the amount of one thousand dollars (\$1,000.00) for the violation(s) described herein;

b. Secure American agrees to and shall pay the total fine assessed herein of one thousand dollars (\$1,000) prior to the entry of this Order, which 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: Simon Berry, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601;

c. Secure American agrees to surrender its mortgage broker license by mailing same to the DFI.

7. Secure American 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. Secure American 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, Secure American for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, the 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 Secure American 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 22nd day of September, 2010.



CHARLES A. VICE
COMMISSIONER

Consented to:

This 5th day of August, 2010.



Nicole Biddle, Director
Division of Nondepository Institutions
Department of Financial Institutions

This 3rd day of September, 2010.

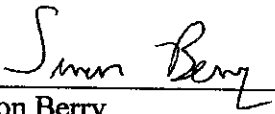


Todd Kist
President
Secure American Mortgage

Certificate of Service

I, Simon Berry, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 23rd day of September, 2010, by certified mail, return receipt requested, to the following:

Todd Kist
Secure American Mortgage, Inc.
4000 Executive Park drive, Suite 300
Cincinnati, OH 45241



Simon Berry
Department of Financial Institutions
1025 Capital Center Drive
Suite 200
Frankfort, Kentucky 40601
502-573-3390 ext. 232 (phone)
502-573-2183 (facsimile)

Counsel for Complainant