

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2014-AH-0051



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

JOSEPH E. LANHAM a/k/a JAMES LANHAM

RESPONDENT

AGREED ORDER

* * * * *

1. The Department of Financial Institutions (“DFI”) is responsible for regulating and licensing entities engaged in the business of cashing checks and accepting deferred deposit transactions in accordance with the provisions set forth in KRS Chapter 286.9.

2. Joseph E. Lanham a/k/a James Lanham (“Respondent”) is an individual residing at 804 E 20th Street, Owensboro, Kentucky 42303.

3. DFI received a consumer complaint about alleged unlicensed deferred deposit transactions entered into by the Respondent. DFI investigated that complaint and alleges that the Respondent is acting as an unlicensed deferred deposit service business pursuant to KRS Chapter 286.9.

4. DFI possesses a range of administrative authority in addressing violations of the Act, including license revocation or denial, the imposition of fines in an amount up to \$5,000 per violation. *See* KRS 286.9-110; 286.9-991.

5. In this case, DFI assessed a fine against Respondent in the amount of one thousand five hundred dollars (\$1,500.00) for alleged violations of KRS Chapter 286.9.

6. In the interest of economically and efficiently resolving the alleged violation(s) described herein, and without Respondent admitting or denying the statements of fact herein, DFI and Respondent agree as follows:

a. Respondent agrees to a fine assessment in the amount of one thousand five hundred dollars (\$1,500.00) for the alleged violation(s) described herein;

b. Respondent agrees to and shall pay the total fine assessed herein of one thousand five hundred dollars (\$1,500.00), which shall be due when Respondent signs and returns 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: Katherine W. Ross, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601;

c. Respondent shall cease and desist from entering into any transactions that meet the definition of deferred deposit transaction or deferred presentment service transaction under KRS 286.9-010(14), a practice he denies engaging in, nor will the Respondent cash checks or engage in any activities described under KRS Chapter 286.9 without first becoming licensed by DFI.

7. Respondent waives his right to demand a hearing in this administrative matter 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 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.

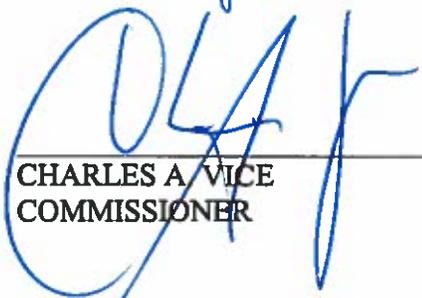
9. In consideration of execution of this Agreed Order, DFI and Respondent hereto for themselves, and for their successors and assigns, hereby releases and forever discharges the

other party, 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 either party 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 28th day of April, 2014.



CHARLES A. VICE
COMMISSIONER

Consented to:

This 18 day of APRIL, 2014.

This 18 day of APRIL, 2014.

Jimmy R. Scroggs
Director
Division of Non-Depository Institutions
Department of Financial Institutions

Joseph E. Lanham
Joseph E. Lanham a/k/a James Lanham

ACKNOWLEDGEMENT

STATE OF Kentucky)
)
COUNTY OF Daviess)

On this the 18 day of APRIL, 2014, before me Steven D. Owen the undersigned, **Joseph E. Lanham a/k/a James Lanham**, did personally appear and acknowledge himself to be so, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: 1/31/16

[Signature]
Notary Public

Certificate of Service

I hereby certify that a copy of the foregoing **Agreed Order** was send on this the 29 day of April, 2014, by certified mail, return receipt requested, to the following:

Steve Dowell
Jackson-Dowell, PLLC
1542 Frederica Street
Owensboro, KY 42301
Counsel for Respondent

And by hand delivery to the following:

Katherine W. Ross
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601
Counsel for the Department of Financial Institutions



Christina Hayden
Department of Financial Institutions