



COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2014-AH-095
ICIE NO. 98184

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

V.

KY CATALOG SALES, INC.
D/B/A ADVANCE TIL PAYDAY
224 SOUTH MAIN STREET, #540
SPRINGVILLE, UT 84663
(LICENSE NO. 123-03)

RESPONDENT

AGREED ORDER

1. The Department of Financial Institutions (“DFI”) is responsible for regulating deferred deposit service businesses doing business in Kentucky in accordance with the provisions of KRS Chapter 286.9-010, et seq. (the “Act”).
2. KY Catalog Sales, Inc. d/b/a Advance Til Payday (“Respondent”) is authorized to do business as a deferred deposit licensee pursuant to KRS Chapter 286.9, with an office located at 15226 Fort Campbell Blvd., Hopkinsville, Kentucky 42262 – License No. 123-03.
3. Pursuant to the Act, the DFI conducted an examination of Respondent on August 27, 2013 to determine whether the activities of Respondent were in compliance with applicable laws and regulations; whether the practices and policies of Respondent had a potential adverse impact on prospective borrowers; and whether the business was being operated efficiently, fairly and in the public interest.
4. During the examination, the DFI discovered that Respondent did not enter a customer’s social security number correctly in the database and as a result the customer was able to obtain deferred deposit loan proceeds in excess of \$500 each in violation of KRS 286.9-140(1).

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

6. In this case, the DFI assessed a fine against Respondent in the amount of one thousand dollars (\$1,000) for violating KRS 286.9-140.

7. In the interest of economically and efficiently resolving the violation described herein, the parties agree as follows:

a. Respondent agrees to pay a fine assessment in the amount of one thousand dollars (\$1,000). Payment shall be due and payable upon entry of this Agreed Order and shall be in the form of a certified check or money order payable to "Kentucky State Treasurer" and mailed to the Department of Financial Institutions, Attn: Non-depository Division, 1025 Capital Center Drive, Suite 200, Frankfort, KY 40601.

b. Respondent shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.9.

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

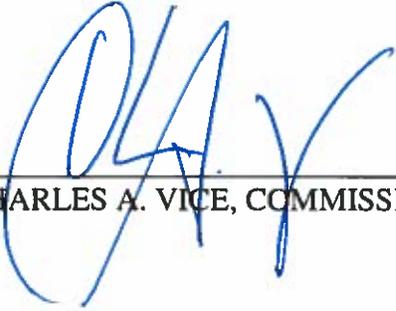
10. Respondent consents to and acknowledges the jurisdiction of the DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

11. In consideration of the execution of this Agreed Oder, Respondent 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 actions, 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, the parties acknowledge that they have read the foregoing Agreed Order, know and understand its contents, and that they are authorized to enter into and executed this Agreed Order and legally bind their respective parties.

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

IT IS SO ORDERED this 12th day of August, 2014.



CHARLES A. VICE, COMMISSIONER

Consented to: ^{12th} August
This 24 day of July 2014

Sammy R. Scroggs

Director, Division of Non-depository Institutions
Department of Financial Institutions

This 29 day of July, 2014



Authorized Representative
KY Catalog Sales, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Agreed Order was sent by United States mail on this the 13 day of August, 2014, to the following:

KY Catalog Sales, Inc.
d/b/a Advance Til Payday
Attn: Jay Nichol
224 S. Main Street, #540
Springville, UT 84663

And by hand delivery to:

William Owsley
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601



Christina Hayden
Department of Financial Institutions