

**286.8-175 Confidentiality of examination reports and information -- Exceptions --  
Prima facie evidence.**

- (1) Reports of examination, and correspondence that relates to the report of examination, of a mortgage loan company or mortgage loan broker shall be considered confidential information. No officer or director of a mortgage loan company or mortgage loan broker, employee of the department, or employee of a state or federal regulatory authority shall release any information contained in the examination, except when:
  - (a) Required in a proper legal proceeding in which a subpoena and protective order insuring confidentiality has been issued by a court of competent jurisdiction; or
  - (b) The information is referred to an appropriate prosecuting attorney for possible criminal proceedings.
- (2) The department may furnish to and exchange information and reports with officials and examiners of other properly authorized state or federal regulatory authorities.
- (3) Every official report concerning a mortgage loan company or mortgage loan broker, and every report of examination, shall be prima facie evidence of the facts therein stated for all purposes in any action in which the department, mortgage loan company, or mortgage loan broker is a party.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 783, effective July 15, 2010. -- Created 1998 Ky. Acts ch. 197, sec. 16, effective July 15, 1998.

**Formerly codified as** KRS 294.175.

**Legislative Research Commission Note** (7/12/2006). In accordance with 2006 Ky. Acts ch. 247, secs. 38 and 39, this statute has been renumbered as a section of the Kentucky Financial Services Code, KRS Chapter 286.