

286.9-035 Deferred deposit transaction agreement with unlicensed person void.

- (1) Any deferred deposit transaction agreement made with a person who is not licensed under this subtitle shall be void, and the person shall not collect any principal, fee, interest, charges, or recompense whatsoever.
- (2) The commissioner may void a deferred deposit transaction agreement when it is determined by the commissioner that the licensee has violated any provision of this subtitle. The licensee shall be allowed to recover from the customer any principal paid by the licensee to the customer, but the licensee shall not recover any service fee or other charge related to the deferred deposit transaction.
- (3) For purposes of this section, "payment instrument" also includes debit authorization, electronic funds transfer, and any other form of electronic transmission of money.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 799, effective July 15, 2010. -- Created 2009 Ky. Acts ch. 98, sec. 7, effective January 1, 2010.