

**STATE OF OHIO**  
**DEPARTMENT OF COMMERCE**  
**Division of Financial Institutions**  
**Consumer Finance**

In the matter of:	)	Case No. M2006-9992750
	)	<b>Notice of Intent to Revoke Mortgage</b>
<b>CREATIVE LENDING SOLUTIONS, INC.</b>	)	<b>Broker Certificate of Registration</b>
4145 Crossgate Square	)	&
Cincinnati, Ohio 45236	)	<b>Notice of Opportunity for a Hearing</b>
	)	

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**JURISDICTION**

The Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions ("Division"), is charged with the responsibility of administering and enforcing the Ohio Mortgage Broker Act, codified in Ohio Revised Code ("R.C.") Chapter 1322.

**RESPONDENT**

**CREATIVE LENDING SOLUTIONS, INC.** ("Respondent") is a corporation that holds a certificate of registration issued by the Division to engage in business as a mortgage broker pursuant to the Ohio Mortgage Broker Act. Respondent's business address is 4145 Crossgate Square, Cincinnati, Ohio 45236.

**NOTICE OF PROPOSED ACTION**

In accordance with sections 1322.10(A)(1)(a) and (b) of the Revised Code, and R.C. Chapter 119, the Division intends to REVOKE Respondent's mortgage broker certificate of registration.

**BASIS FOR PROPOSED ACTION**

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.10(B), and has found the following:

- A. In or around 1995, in the Court of Common Pleas, Hamilton County, Ohio, Eric L. Shropshire, fifty (50) percent shareholder and vice-president/secretary of Respondent, pleaded guilty to and was convicted of FORGERY, a felony of the fourth degree.
- B. On or around July 19, 1999, Respondent attested in a sworn statement that information it provided about the criminal background of one of its senior officers and shareholders (namely Eric L. Shropshire) on its mortgage broker certificate of registration application it submitted to the Division was complete and truthful when it was not.
- C. On or around July 27, 1999, in an attempt to obtain a mortgage broker certificate of registration, Respondent provided untruthful information about the criminal background of one of its senior officers and shareholders (namely Eric L. Shropshire) to the Division.
- D. In March 2004, the Division found that Eric L. Shropshire's character and general fitness did not command the confidence of the public and warrant the belief that the business will be operated honestly and fairly in compliance with the purposes of the Ohio Mortgage Broker Act.

- E. In March 2004, the Division found that Eric L. Shropshire violated R.C. 1322.07(A), which prohibits a loan officer applicant from “mak[ing] any substantial misrepresentation in any registration or license application[.]”
- F. In March 2004, the Division found that Eric L. Shropshire violated R.C. 1322.07(B), which prohibits a loan officer applicant from “[m]ak[ing] false or misleading statements of a material fact, [or] omissions of statements required by state law[.]”
- G. In March 2004, the Division found that Eric L. Shropshire violated R.C. 1322.07(C), which prohibits a loan officer from “[e]ngag[ing] in conduct that constitutes improper, fraudulent, or dishonest dealings.”
- H. On or around April 14, 2004, Respondent attested in a sworn statement that information it provided about administrative actions or orders that one of its shareholders or officers (namely Eric L. Shropshire) was subject to on its 2004 mortgage broker renewal application it submitted to the Division was complete and accurate when it was not.
- I. On or around April 28, 2004, Respondent provided untruthful information to the Division regarding administrative actions or orders that one of its shareholders or officers (namely Eric L. Shropshire) was subject to.
- J. On or around April 18, 2005, Respondent attested in a sworn statement that information it provided about administrative actions or orders that one of its shareholders or officers (namely Eric L. Shropshire) was subject to on its 2005 mortgage broker renewal application it submitted to the Division was complete and accurate when it was not.
- K. On or around April 19, 2005, Respondent provided untruthful information to the Division regarding administrative actions or orders that one of its shareholders or officers (namely Eric L. Shropshire) was subject to.

As a result of the findings listed above, the Division has determined that:

- 1. Respondent’s character and general fitness do not command the confidence of the public and warrant the belief that the business will be operated honestly and fairly in compliance with the purposes of the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(5).
- 2. Respondent’s actions listed in Paragraphs B and C violated R.C. 1322.07(A), as written in 1999, which prohibits a mortgage broker applicant from “[o]btain[ing] a certificate of registration through any false or fraudulent representation or mak[ing] any substantial misrepresentation in any registration application[.]”
- 3. Respondent’s actions listed in Paragraphs B and C violated R.C. 1322.07(C), as written in 1999, which prohibits a mortgage broker applicant from “[e]ngag[ing] in conduct that constitutes improper, fraudulent, or dishonest dealings.”
- 4. Respondent’s actions listed in Paragraphs, H, I, J, and K violated R.C. 1322.07(A), which prohibits a mortgage broker applicant from “mak[ing] any substantial misrepresentation in any registration or license application[.]”
- 5. Respondent’s actions listed in Paragraphs H, I, J, and K violated R.C. 1322.07(B), which prohibits a mortgage broker applicant from “[m]ak[ing] false or misleading statements of a material fact, [or] omissions of statements required by state law[.]”

6. Respondent's actions listed in Paragraphs H, I, J, and K violated R.C. 1322.07(C), which prohibits a mortgage broker applicant from "[e]ngag[ing] in conduct that constitutes improper, fraudulent, or dishonest dealings."

**NOTICE OF OPPORTUNITY FOR A HEARING ON PROPOSED ACTION**

Therefore, pursuant to R.C. Chapters 1322 and 119, Respondent is hereby notified that thirty-one (31) days from the date of the mailing of this Notice, the Superintendent intends to issue an order revoking Respondent's mortgage broker certificate of registration under the Ohio Mortgage Broker Act.

Respondent is further notified, pursuant to R.C. Chapter 119, that Respondent is entitled to a hearing on this matter. If Respondent desires to request a hearing, the request must be made in writing, and must be received in the offices of the Ohio Division of Financial Institutions within thirty (30) days of the time of the mailing of this Notice. Hearing requests should be addressed: Ohio Division of Financial Institutions, Attn: Mark L. Rhea, Consumer Licensing Staff Attorney, 77 South High Street, 21<sup>st</sup> Floor, Columbus, Ohio 43215-6120.

At the hearing, Respondent may appear in person, by Respondent's attorney, or by such other representative as is permitted to practice before the Agency, or Respondent may present its position, arguments, or contentions in writing, and, at the hearing, may present evidence and examine witnesses appearing for and against Respondent. Note: a corporation must be represented by a person who is legally authorized to appear before the Agency, such as an attorney.

If the Ohio Division of Financial Institutions does not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of this Notice, the Superintendent will issue an order revoking Respondent's mortgage broker certificate of registration.

Signed and sealed this 27<sup>th</sup> day of April 2006

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**ROBERT M. GRIESER**

Deputy Superintendent for Consumer Finance  
Division of Financial Institutions  
Ohio Department of Commerce