

STATE OF OHIO
DEPARTMENT OF COMMERCE
DIVISION OF FINANCIAL INSTITUTIONS
77 South High Street, 21st Floor
Columbus, Ohio 43215-6120

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DIVISION OF FINANCIAL
INSTITUTIONS
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In the matter of:

JEFFREY I. STIRES
8800 Wildbrook Ct.
West Chester, OH 45069

)
)
) **Case No. 05-0004-LOR**
)
) **SETTLEMENT AND**
) **CONSENT ORDER**
)

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

WHEREAS, Jeffrey I. Stires ("Respondent") is an individual that holds an active loan officer license (LO# 001403) issued by the Division pursuant to R.C. 1322. His address of record is 8800 Wildbrook Ct., West Chester, OH 45069, and his date of birth is November 15, 1954. Respondent's employer of record is Maven Lending, Ltd., whose main office operates under certificate of registration number MB 803416; and

WHEREAS, on November 2, 2005, the Division sent via certified mail a Notice of Intent to Revoke Loan Officer License & Notice of Opportunity for a Hearing ("the Notice") to Respondent ("Respondent") which mailed Notice was received by and served upon Respondent. Respondent requested a hearing and a hearing was held on August 9, 2006. A Report and Recommendation was filed with the Division on October 4, 2006; and

WHEREAS, the Notice contained allegations and findings that:

1. Previously, Respondent was a partner of and the Operations Manager of Ohio Financial Group, Ltd. This limited liability company held Certificates of Registration under the Ohio Mortgage Broker Act from approximately December 2, 1996 until Mr. Stires notified the Division that this Mortgage Broker was no longer operating on or about August 23, 2005.
2. On or about April 8, 2003, Respondent, on behalf of Ohio Financial Group, Ltd., applied for the 2003 Renewal of Ohio Financial Group, Ltd.'s Mortgage Broker Certificate of Registration. He signed the application as "Jeffrey I. Stires partner." Question 3 of the 2003 Mortgage Broker Renewal Application states: "Does any registrant, owner, partner, shareholder, member, officer, director, or operations manager have any unpaid civil judgment against him/her?" This question was answered no.
3. On or about March 25, 2004, Respondent, on behalf of Ohio Financial Group, Ltd., applied for the 2004 Renewal of Ohio Financial Group, Ltd.'s Mortgage Broker Certificate of Registration. He signed the application as "Jeffrey I. Stires, partner." Question 3 of the 2004 Mortgage Broker Renewal Application states: "Does the

registrant, owner, partner, shareholder, member, officer, director, or operations manager have any unpaid civil judgment against him/her? If yes, a certified copy of the judgment entry and proof of payment history must be attached to this application or the application will not be processed.” This question was answered “no,” and no certified copy of any civil judgment or payment history was attached to the application.

4. On or about April 14, 2005, Respondent, on behalf of Ohio Financial Group, Ltd., applied for the 2005 Renewal of Ohio Financial Group, Ltd.’s Mortgage Broker Certificate of Registration. He signed the application as “Jeffrey I. Stires, partner.” Question 3 of the 2005 Mortgage Broker Renewal Application states: “Does the registrant, owner, partner, shareholder, member, officer, director, or operations manager have any unpaid civil judgment against him/her? If yes, a certified copy of the judgment entry and proof of payment history must be attached to this application or the application will not be processed.” This question was answered “no,” and no certified copy of any civil judgment or payment history was attached to the application.
5. There exists a judgment against Jeffrey I. Stires and Deborah K. Stires, 8800 Wildbrook Ct., West Chester, OH 45069 in favor of the State of Ohio, Department of Taxation, in the amount of \$13,888.77, filed in the Butler County Court of Common Pleas on or about January 29, 2003.
6. Respondent failed to disclose this civil judgment on Ohio Financial Group, Ltd.’s 2003, 2004, and 2005 Renewal Applications.
7. There exists a judgment against Jeffrey I. Stires of 8800 Wildbrook Ct., West Chester, OH 45069 in the amount of \$37,216.81 in favor of the State of Ohio, Department of Taxation, filed in the Butler County Court of Common Pleas on or about January 5, 2005.
8. Respondent failed to disclose this civil judgment on Ohio Financial Group, Ltd.’s 2005 Renewal Application.
9. R.C. 1322.07(A) prohibits mortgage brokers, registrants, licensees or applicants for a certificate of registration or licenses under the Ohio Mortgage Broker Act from obtaining a certificate of registration or license through any false or fraudulent representation of a material fact or any omission of a material fact required by state law or from making any substantial misrepresentation in any registration or license application.
10. By failing to disclose his 2003 civil judgment in Ohio Financial Group, Ltd.’s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(A). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.’s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(A).
11. R.C. 1322.07(B) prohibits mortgage brokers, registrants, licensees or applicants for certificates of registration or licenses from making false or misleading statements of a material fact, omissions of statements required by state law, or false promises

regarding a material fact, through advertising or other means, or engage in a continued course of misrepresentations.

12. By failing to disclose his 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(B). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(B).
13. R.C. 1322.07(C) prohibits mortgage brokers, registrants, licensees or applicants for certificates of registration or licenses from engaging in conduct that constitutes improper, fraudulent, or dishonest dealings.
14. By failing to disclose the 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(C). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(C).
15. Respondent applied for a loan officer license with McKinley Mortgage, LLC on or about August 16, 2005. He was issued a loan officer license on August 23, 2005.

WHEREAS, Respondent Jeffrey I. Stires denies the allegations of the Division, and states that there exist against Respondent no unpaid civil judgments due to unpaid taxes at this time; but so as to avoid the cost and uncertainty of litigation Respondent agrees to enter into this Consent Order for purposes of settlement.


NOW THEREFORE, in consideration of the foregoing and the mutual promises set forth herein, the parties agree to the following:

- 1) The parties acknowledge and agree to the accuracy of the foregoing recitals.
- 2) This Settlement and Consent Order represents a compromise between the parties for the full, complete, and final settlement of all of their claims, differences, and causes of action with respect to the allegations contained in the Notice. Nothing shall prevent the Division, in the future, from taking any administrative or other action against Respondent for matters not addressed in this order.
- 3) The parties agree that the terms of this Settlement and Consent Order bind the parties hereto, and their successors in interest.
- 4) The Division shall terminate the Notice of Intent to Revoke the Loan Officer License & Notice of Opportunity for a Hearing issued November 2, 2005, and agrees that it shall not, as long as Respondent is in compliance with this Settlement and Consent Order pursue the matters set forth in such Notice through its administrative process. Nothing, however, in this order shall be deemed to prevent the Division or its employees, agents, or assigns from participating in, as a witness or otherwise, any lawful action by another, or obeying any lawful court order, arising out of or related to the matters set forth in these Notices.

- 5) Respondent acknowledges lawful service and receipt of the Notice, and stipulates to the jurisdiction of the Division in this matter.
- 6) The Respondent hereby agrees to withdraw his request for a hearing, forego his administrative remedies, and waive any and all rights to an administrative hearing, as well as any right to appeal this matter or order.
- 7) This Settlement and Consent Order shall be effective on the date it is signed by the Superintendent of the Division of Financial Institutions and on such date it will become a final order.
- 8) This Settlement and Consent Order contains the entire agreement between the parties as to the matters set forth herein and no promises, conditions or obligations, either expressed or implied, other than those set forth herein, shall be binding on either party.
- 9) Respondent releases the Division, its members, employees, agents, officers and representatives jointly and severally from any liability arising from the within matter. Respondent shall not seek attorney fees or other costs arising from the within matter.

For purposes of effecting this Settlement and Consent Order, it is hereby ORDERED and DECREED that:

- A. The parties to this Settlement and Consent Order shall abide by the terms of this order as agreed.
- B. When this Settlement and Consent Order becomes effective as a final order, the Division shall again review Respondent's loan officer renewal applications. Provided the applications do not contain any deficiencies, the Division will issue Respondent a loan officer license. Nothing in this settlement and consent order shall deem to prevent the Division from taking any administrative action due to deficiencies which may arise in Respondent's loan officer application not specifically addressed in the Notice.
- C. The Notice of Intent to Revoke Respondent's Loan Officer license issued November 2, 2005 by the Division is hereby terminated.

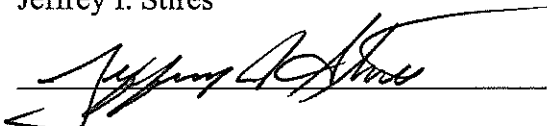


Richard F. Keck
Acting Deputy Superintendent for Consumer Finance

Date 7/31/07

Approved and Agreed:

Jeffrey I. Stires



Date 7-30-2007

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