

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

In the matter of:)	Case No. 04-0307-LOD
)	
SCOTT S. MCCANN 5836 Springburn Drive Dublin, Ohio 43017)	Notice of Intent to Deny Loan Officer License Application
)	&
)	Notice of Opportunity for a Hearing
)	

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. In accordance therewith, the Division is accountable for the licensing of individuals as residential mortgage loan officers.

RESPONDENT

SCOTT S. MCCANN ("Respondent") has applied to the Division for a loan officer license. His address of record is 5836 Springburn Drive, Dublin, Ohio 43017, and his date of birth is October 4, 1962. Respondent's employer of record is H.I.S. Mortgage, located at 3520 Snouffer Road Suite 200 in Columbus, Ohio 43235.

NOTICE OF PROPOSED ACTION

In accordance with sections 1322.041 and 1322.10 of the R.C., and R.C. Chapter 119, the Division intends to DENY Respondent a loan officer license.

BASIS FOR PROPOSED ACTION

1. On February 19, 2002, the Division revoked the mortgage broker certificate of registration of T.P.O.T.T., Inc., d.b.a. Crew Mortgage ("Crew Mortgage"). Respondent, Scott S. McCann, was the President, Secretary, and sole owner of Crew Mortgage. The revocation was based on the finding that Crew Mortgage violated R.C. § 1322.07, which prohibits improper, fraudulent, or dishonest dealings. In making this determination, the Division specifically found that Scott S. McCann "took advantage of unsophisticated borrowers;" "list[ed] fictitious creditors and other false information on loan documents; convert[ed] borrowers' and creditors' money; caus[ed] customers to sign blank loan documents; charg[ed] excess fees;" and that McCann had "interfere[ed] with an investigation of the Division."

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).

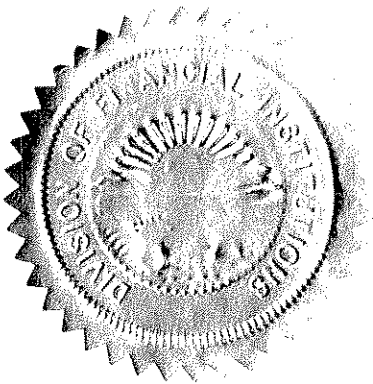
NOTICE OF OPPORTUNITY FOR A HEARING ON PROPOSED ACTION

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 denying Respondent a loan officer license 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: Amanda Axtell—Consumer Finance Counsel, 77 South High Street, 21st 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.

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 denying Respondent a loan officer license.



Signed and sealed this 22nd January 2004.

A handwritten signature in cursive script, reading "Robert M. Grieser".

ROBERT M. GRIESER

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

CERTIFIED MAIL: 7002 2030 0002 6800 2916