

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

In the matter of:)	Case No. M2009-99
)	
REFERRAL MORTGAGE GROUP, L.L.C.)	<u>DIVISION ORDER</u>
60 West Franklin Street)	Mortgage Broker Registration Renewal Denial
Bellbrook, OH 45305)	and Fine
)	&
)	Notice of Appellate Rights

WHEREAS, the Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions ("Division") and charged with the responsibility of administering and enforcing the Ohio Mortgage Broker Act, as codified in Ohio Revised Code ("R.C.") Chapter 1322, the Division finds that this Order is necessary and appropriate, in the interest of the public, and is consistent with the purposes of the Ohio Mortgage Broker Act; and

WHEREAS, Referral Mortgage Group, L.L.C. ("Respondent") is a company that held a certificate of registration to engage in business as a mortgage broker pursuant to R.C. Chapter 1322. Respondent's mortgage broker certificate of registration expired on April 30, 2008, and Respondent filed an application to renew its certificate of registration, which remains pending; and

WHEREAS, on March 19, 2009, the Division issued Respondent a Notice which informed it that the Division had conducted an investigation of Respondent and, as a result thereof, alleged that:

1. Because Respondent failed to have an approved Operations Manager within 180 days of the termination date of its last Operations Manager, the Division finds 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, thereby failing to meet the prerequisite for certificate of registration renewal found in R.C. 1322.04(B)(3). See R.C. 1322.04(A)(3)(9) & (10) and 1301:8-7-12(E)(4)(b) of the Ohio Administrative Code.
2. By not having an Operations Manager who has successfully completed the required examination in violation of R.C. 1322.04(A)(9), Respondent fails to meet the conditions of renewal under R.C. 1322.04(B)(3).
3. By failing to designate a person as an Operations Manager after its previous Operations Manager was no longer Operations Manager due to his failure to be a licensed loan officer, Respondent violated R.C. 1322.04(D).
4. Because Respondent failed to comply with R.C. 1322.052, Respondent has failed to meet the conditions of certificate of registration renewal in R.C. 1322.04(A)(6) and R.C. 1322.04(B)(3).
5. Due to Respondent's violations of R.C. 1322.052 and R.C. 1322.04(D), a fine of \$1,000 is reasonable, appropriate, and necessary.

WHEREAS, the Notice informed Respondent of the Division's intent to deny the renewal of Respondent's certificate of registration and fine Respondent and of the opportunity for a hearing regarding the denial if requested within thirty days from the mailing of the Notice. The Notice further cautioned Respondent that if the Ohio Division of Financial Institutions did not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of the Notice, the Superintendent would issue an order denying Respondent's certificate of registration renewal and imposing a fine of one thousand dollars (\$1,000.00) on Respondent;

WHEREAS, the Notice was mailed to Respondent, via certified mail, on March 19, 2009, and service was perfected;

WHEREAS, Respondent failed to request a hearing and thereby failed to defend against the Division's allegations;

WHEREAS, the Division finds that the allegations contained in the Notice are true and that Respondent's certificate of registration renewal application should be denied and a one thousand dollar (\$1,000.00) fine should be imposed;

Respondent, Referral Mortgage Group, L.L.C.'s certificate of registration renewal application is hereby denied, and Referral Mortgage Group, L.L.C. is ordered to pay the Division a fine in the amount of one thousand dollars (\$1,000.00). Payment shall be in the form of a cashier's check or money order, made payable to "Consumer Finance Fund," and, within ninety (90) days of Respondent's receipt of this Order, shall be submitted with a copy of this Order to: Ohio Division of Financial Institutions, Attn: Martha Rhea, Consumer Finance Attorney Examiner, 77 South High Street, 21st Floor, Columbus, Ohio 43215-6120.

It is so ordered.

NOTICE OF RIGHT TO APPEAL

Respondent is hereby notified that this Order may be appealed, pursuant to R.C. 119.12, by filing a notice of appeal with the Ohio Division of Financial Institutions, setting forth the Order appealed from and the grounds for the appeal. A copy of such notice of appeal must also be filed with the court of common pleas of the county in which the place of business of the Respondent is located, or the county in which the Respondent is a resident. A notice of appeal must be filed within fifteen (15) days after the date of mailing of this Order.

Signed and sealed this 29th day of April, 2009.

LEIGH A. WILLIS

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