

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

In the matter of:)	Case No. M2008-244
)	
JAMES H. LENZER, JR.)	<u>DIVISION ORDER</u>
373 Anne Drive)	Suspension of Loan Officer License
Berea, OH 44017)	&
)	Notice of Appellate Rights
)	

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.

Respondent, James H. Lenzer, Jr. ("Respondent"), held a mortgage broker loan officer license ("License") issued by the Division of Financial Institutions ("Division") during calendar year 2007. On April 28, 2008, the Division issued Respondent an Order of License Suspension ("Suspension") automatically suspending Respondent's License as required by Revised Code ("R.C.") section 1322.10(F)(2) and a Notice of Intent to Revoke ("Notice") for failure to fulfill the 2007 continuing education requirement in R.C. 1322.052.

An administrative hearing was held on June 25, 2008. Respondent failed to appear. A Report and Recommendation ("Report") was filed with the Division on July 29, 2008, recommending that the Division revoke Respondent's License. (A copy of the Report is attached). No objections were filed.

In accordance with R.C. 119.09, the Division has considered the record, consisting of the Report, the transcript of testimony and exhibits, as well as all applicable laws. As a result, the Division makes the following findings and conclusions. Any finding and/or conclusion not specifically addressed below is approved, adopted, and incorporated herein.

The Division modifies page 1, paragraph 1 of the Report to delete the date "March 3, 2007" and insert the date "March 3, 2008." The Division modified page 2, paragraph 3 of the Report to delete the date "May 21, 2007" and insert the date "May 21, 2008." The Division modifies the Recommendation on page 4 of the Report that recommended the revocation of Respondent's License for violation of R.C. 1322.052. However, in light of recent federal legislation titled the "Secure and Fair Enforcement for Mortgage Licensing Act of 2008," which makes any license revocation a permanent bar to licensure, the Division hereby CONTINUES THE SUSPENSION of Respondent's loan officer License pursuant to R.C. 1322.10(F)(2).

It is so ordered.

NOTICE OF APPELLATE RIGHTS

Respondent is hereby notified that pursuant to R.C. 119.12, this Order may be appealed 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 24th day of October, 2008.

LEIGH A. WILLIS

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