

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

In the matter of:	) Case No. M2010-986
	)
<b>BARBARA D. HOFFMAN</b>	) <b>Notice of Intent to Refuse Issuance of Mortgage Loan</b>
753 Oleander Court, Apt. A	) <b>Originator License</b>
Lebanon, OH 45036	) &
	) <b>Notice of Opportunity for a Hearing</b>
	)

---

**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 Loan Act, codified in Ohio Revised Code ("R.C.") Chapter 1321. In accordance therewith, the Division is accountable for the licensing of individuals as mortgage loan originators.

**RESPONDENT**

**BARBARA D. HOFFMAN** ("Respondent") has applied to the Division for a mortgage loan originator license. Her address of record is 753 Oleander Court, Apt. A, Lebanon, Ohio 45036, and her date of birth is March 31, 1965. Respondent has no employer of record.

**NOTICE OF PROPOSED ACTION**

The Division has conducted an investigation of Respondent, pursuant to R.C. 1321.531(E), and has found the following:

- A. The Division is authorized by R.C. 1321.532(A)(5) to issue a mortgage loan originator license if the Division finds, among other requirements, that "[t]he applicant's financial responsibility, character, and general fitness command the confidence of the public and warrant the belief that the mortgage loan originator will operate honestly and fairly in compliance with the purposes of sections 1321.51 to 1321.60 of the Revised Code."
- B. On or about June 1, 2009, in Case No. M2009-456, the Division issued an Order that summarily suspended Respondent's Chapter 1322 loan officer license and Notice of Intent to Deny Respondent's 2009 loan officer license renewal application for failure to complete her 2008 continuing education requirement.
- C. On or about August 10, 2009, in Case No. M2009-456, the Division issued an Order continuing the suspension of Respondent's Chapter 1322 loan officer license and denying Respondent's 2009 loan officer license renewal application for failure to complete her 2008 continuing education requirement.
- D. On or about April 29, 2010, Respondent submitted an application for a mortgage loan originator license pursuant to R.C. Chapter 1321.

- E. Question I of the application asked “Has any State or federal regulatory agency or foreign financial regulatory authority ever: (6) denied or suspended your registration or license, disciplined you, or otherwise by order, prevented you from associating with a financial services-related business or restricted your activities?” Respondent answered “No,” failing to disclose the 2009 suspension of her loan officer license and the denial of her 2009 loan officer license renewal application.
- F. Prior to January 1, 2010, R.C. 1322.052 required every licensed loan officer to complete at least six (6) hours of approved continuing education (“CE”) every calendar year (by December 31<sup>st</sup>).
- G. Respondent held loan officer license LO.010067 during the 2008 and 2009 calendar years.
- H. Respondent failed to complete the required 6 hours of CE credit for the 2008 and 2009 calendar years as required by R.C. 1322.052.
- I. Because Respondent failed to comply with R.C. 1322.052 and submitted false information on her application for mortgage loan originator license, the Division finds that Respondent does not meet the requirement for licensure in R.C. 1321.532(A)(5).

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

- 1. Respondent’s actions, as listed above, show 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 Loan Act as required for issuance of a mortgage loan originator license pursuant to R.C. 1321.532.
- 2. Respondent failed to disclose the suspension of her loan officer license in 2009 and the subsequent denial of her 2009 loan officer license renewal application on her 2010 mortgage loan originator license application.
- 3. Because Respondent does not meet the criteria for issuance of a mortgage loan originator license, the Division has the authority to refuse to issue Respondent a mortgage loan originator.

#### **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 refusing to issue Respondent a mortgage loan originator license under the Ohio Mortgage Loan 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: Lori A. Massey, Consumer Finance 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.

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 refusing to issue Respondent a mortgage loan originator license.

Signed and sealed this 19<sup>th</sup> day of November, 2010.

---

**LEIGH A. WILLIS**

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