

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

In the matter of:)	Case No. M2005-9991140
)	
MATTHEW D. HUDAK)	<u>DIVISION ORDER</u>
6065 Manshine Court)	Denial of Loan Officer Renewal Application
Galloway, OH 43026)	&
)	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, the Division issued Matthew D. Hudak ("Respondent") a loan officer license on May 6, 2002;

WHEREAS, Respondent's loan officer license expired on April 30, 2005, Respondent filed an application to renew his loan officer license, and the renewal application remains pending; and

WHEREAS, on February 16, 2007, the Division issued Respondent a Notice which informed him that the Division had conducted an investigation of Respondent and, as a result thereof, alleged that:

1. Respondent has been convicted of a theft offense as described in R.C. 1322.031, and as a result, the Division is not authorized to renew Respondent's loan officer license pursuant to R.C. 1322.041(A)(3) and 1322.041(B)(3).
2. Respondent has not proven that Respondent is honest, truthful, and of good reputation, and that there is no basis in fact to believe that Respondent would not commit another criminal offense involving forgery or any criminal offense involving money or securities, as required by R.C. 1322.031(A)(2) and 1322.041(A)(3); and
3. 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, as required by R.C. 1322.041(A)(5).

WHEREAS, the Notice informed Respondent of the Division's intent to deny Respondent's loan officer license application 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 "[i]f the Ohio Division of Financial Institutions d[id] not receive a

written request for a hearing in its offices within thirty (30) days of the time of the mailing of th[e] Notice, the Superintendent w[ould] issue an order denying Respondent's loan officer license renewal[;]"

WHEREAS, the Division was unable to obtain service upon Respondent at the address Respondent provided, and the Division published the Notice in accordance with R.C. Chapter 119 in *The Daily Reporter* for three (3) consecutive weeks;

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 loan officer license renewal should be denied;

Respondent, Matthew D. Hudak's loan officer license renewal application is hereby denied.

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 1st day of June 2007.

RICHARD F. KECK

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