

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

In the matter of:)	Case No. M2006-9993231
)	
FIRST NATIONAL LENDING CORP.)	DIVISION ORDER
7251 Engle Road, Suite 350)	Denial of Mortgage Broker Renewal
Middleburg Heights, Ohio 44130)	&
)	Notice of Appellate Rights
)	

WHEREAS, 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, and 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, First National Lending Corp. (“Respondent”) is a corporation that was issued a certificate of registration to engage in the mortgage broker business pursuant to R. C. Chapter 1322.

WHEREAS, on November 14, 2006, the Division issued Respondent a Notice that informed it that the Division had intended to refuse to renew Respondent’s mortgage broker certificate of registration, and alleged that:

1. Respondent’s designated operations manager, Lisa M. Scherzer, failed to complete the required 6 hours of continuing education credit for the 2005 calendar year, as required by R.C. 1322.052.
2. 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. *See*, R.C. Sections 1322.04(A)(10), 1322.04(B)(2) and 1322.04(B)(3).
3. Due to Respondent’s failure to comply with R.C. 1322.04(B)(2) and inability to meet the conditions for renewal outlined in R.C. 1322.04(A)(10) and (B)(2), the Division has the authority to refuse to renew Respondent’s mortgage broker certificate of registration.

WHEREAS, the Notice informed Respondent of the Division’s intent to refuse to renew its mortgage broker certificate of registration and of the opportunity for a hearing regarding the revocation 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 revoking Respondent's mortgage broker certificate of registration[;]"

WHEREAS, the Notice was mailed to Respondent, via certified mail, on November 14, 2006, 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 renewal application should be denied;

Respondent, First National Lending Corp.'s renewal application is hereby DENIED.

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 12th day of January 2007.

ROBERT M. GRIESER

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