

STATE OF OHIO  
DEPARTMENT OF COMMERCE  
DIVISION OF FINANCIAL INSTITUTIONS

2004 MAY 18 PM 1:42

DIVISION OF FINANCIAL INSTITUTIONS  
OFFICE OF THE HEARING OFFICER  
1000 EAST 17TH AVENUE, SUITE 100  
COLUMBUS, OHIO 43260-1000  
614-467-2000

REPORT AND RECOMMENDATION OF HEARING OFFICER

**IN THE MATTER OF Shaun Christopher Coe**

**Ohio Department of Commerce, Division of Financial Institutions  
Case Number: 04-0007-LOD**

**FINDINGS OF FACT**

1. On or about June 16, 2003, and again on or about August 18, 2003, Shaun Christopher Coe ("Respondent" herein) submitted substantively identical applications and related materials (individually and collectively, the "Applications" herein) to the Ohio Department of Commerce, Division of Financial Institutions (the "Division" herein) for licensing as a loan officer as defined in Chapter 1322 of the Ohio Revised Code. A copy of the Applications are attached and incorporated as Exhibits A and B, respectively.
2. On or about January 22, 2004, the Division notified Respondent that it intended to deny the Applications, and, by Division Order, provided Respondent with timely notice of opportunity for a hearing in accordance with the Ohio Administrative Procedure Act, Chapter 119, Ohio Revised Code (the "Notice"). A copy of the Notice is attached and incorporated as Exhibit C herein. The Division Order charged that Respondent failed to meet the certain designated requirements for licensing contained in Sections 1322.041 and 1322.10 of the Ohio Revised Code, and cited the circumstances as described in the Notice.
3. In response to the Notice, Respondent requested a hearing and, in response to that request, a hearing was held (the "Hearing" herein) at the Vern Riffe Center for Government and the Arts on March 23, 2004. At the Hearing, Respondent appeared *pro se*, and the Division was represented by Assistant Attorney General James M. Evans, Esq.
4. Respondent did not contest that, for the purposes of the Hearing and this administrative proceeding, the allegations of fact set forth in the Notice were true, through stipulation with respect to admission of the Notice. (Tr. Page 10)
5. As of the dates of the Applications, Respondent was employed as a loan officer by Premier Banc, LLC.

## CONCLUSIONS OF LAW

1. That the conduct of the Respondent established a statutory rationale for denying the Application of the Respondent based on the provisions of Sections 1322.041 and 1322.10 of the Ohio Revised Code.
2. That the documentation presented by the Division established a sufficient and reasonable basis for the Division to deny Respondent's Application for licensing as a loan officer.
3. That the information and documentation available to the Division prior to the hearing established a statutory rationale under Sections 1322.041 and 1322.10 of the Ohio Revised Code for the denial of Respondent's Application, and the record of the Hearing supports that denial.

## DISCUSSION

At the Hearing, Respondent and the Division stipulated to the evidence relating to Respondent's criminal record as described in the Notice. (Tr. Page 10)

Insofar as Respondent's criminal record involves a conviction specifically included in Ohio Revised Code section 1322.041(A)(3), the burden shifts to the Respondent to prove, by a preponderance of the evidence, that Respondent's activities and employment record since the conviction meet the criteria set forth in that section.

Section 1322.041(A)(5) of the Ohio Revised Code states that the Superintendent shall issue a loan officer license if the Superintendent finds that the applicant's character and general fitness command the confidence of the public and warrant the belief that the business will be operated honestly and fairly in compliance with stated provisions of Ohio law.

The Act provides that the Superintendent is charged with regulation and oversight of mortgage brokers and loan officers in the State of Ohio, and part of the Superintendent's consideration in that regard relates to the character and general fitness of the Respondent and the ability of the Respondent to command the confidence of the public as set forth in subsection 1322.041(A)(5) of the Ohio Revised Code. That provision requires that the Superintendent issue a loan officer license if, among things, Respondent's character and general fitness (1) command the confidence of the public and (2) warrant the belief that the business will be operated honestly and fairly in compliance with applicable law. These standards require subjective analysis, and the General Assembly has decided that it is appropriate that the Superintendent undertake a determination, based on industry and regulatory experience, as to whether an applicant's character and fitness enable the applicant to meet the referenced requirements. See *Leon v. Ohio Bd. Of Psychology*, 63 Ohio St. 3d 683, 1992 Ohio 105, 590 N.E. 2d 1223 (1992). See also *Lorain City Bd. Of Edn. v. State Emp. Relations Bd.*, 40 Ohio St. 3d 257, 533 N.E. 2d 264 (1988).

Respondent presented only his own testimony in support of the statutory factors considered under Ohio Revised Code sections 1322.041(A)(3) and (A)(5).

Respondent's single theft conviction does not appear to evidence a severe crime or pattern of criminal behavior which would otherwise give cause for concern that Respondent would be unable overcome the conviction as provided in Ohio Revised Code section 1322.041(A)(3). However, given the lack of objective witnesses and the failure to disclose the conviction in the Applications, it is difficult to conclude by a preponderance of the evidence that Respondent has met his burden under Ohio Revised Code section 1322.041(A)(3).

Respondent admitted that he failed to disclose the criminal conviction cited in the Notice in response to question 5 of the Applications, testifying that he misunderstood the question and thought the question did not require disclosure of misdemeanor offenses. (Tr. Page 11) Respondent testified that he answered question 5 in the same manner in both Applications. (Tr. Page 14)

Other than his own testimony, Respondent did not present any other evidence or testimony to explain why he failed to disclose the conviction, either time, in response to the referenced question 5 in the Applications.

Respondent's failure to disclose the conviction in the Application calls into question Respondent's character and fitness, and whether Respondent meets the criteria contained in Ohio Revised Code section 1322.041(A)(5). Other than his own testimony, Respondent provided no evidence at the Hearing regarding his character and fitness under Ohio Revised Code section 1322.041(A)(5)

Again, while Respondent's criminal conviction does not appear to evidence a pattern of ongoing criminal behavior, Respondent unfortunately failed to disclose the conviction as required by question 5 in the Applications. The relevant provisions of Ohio law do not provide an excuse by mistake, misunderstanding, or misreading of the question at issue, or require any evidence with respect to intent or knowledge. Therefore, there is support for the Division's assertion that Respondent violated subsections (A), (B), and (C) of Ohio Revised Code Section 1322.07 in failing to disclose the criminal violations.

In light of the limited evidence provided by Respondent, and the failure to disclose the conviction as required by the Application, Respondent has failed to provide evidence sufficient to overcome the Superintendent's findings under Ohio Revised Code sections 1322.041 and 1322.07.

### **RECOMMENDATIONS**

For the reasons set forth herein, it is hereby recommended that the referenced Applications be denied.

Respectfully submitted,

Jeffery E. Smith, Hearing Examiner

Date

Loan Officer Application  
Ohio Mortgage Broker Act  
Ohio Revised Code Chapter 1322  
Ohio Administrative Code Chapter 1301:8-7

In the Matter of the Application of

Shaun Christopher Coe (full legal name)  
to apply for a license as a Loan Officer in compliance with the Ohio Mortgage Broker Act,  
Ohio Revised Code Chapter 1322 and Ohio Administrative Code Chapter 1301:8-7.

I hereby make Application for a license as a Loan Officer in Ohio, pursuant to the Ohio Mortgage Broker Act. In conformity therewith, I am submitting the following (check each item being submitted) by mailing those items checked to the Division of Financial Institutions:

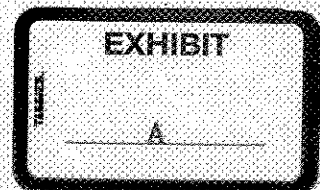
- ☒ (1) One original properly executed Certificate of Employment completed by the Mortgage Broker with whom the Applicant is or will be exclusively employed as a loan officer;
- ☒ (2) One original Mortgage Loan Officer License Application, properly executed;
- ☒ (3) A fingerprint identification card or an Applicant will submit to NBCI background check;
- ☒ (4) A nonrefundable application fee in the amount of \$100, by check or money order made payable to the Department of Commerce, Division of Financial Institutions.

I have read the Ohio Mortgage Broker Act, codified in Revised Code Chapter 1322, and the rules relating thereto, found in Ohio Administrative Code Chapter 1301:8-7, which pertain to mortgage brokering in Ohio. I understand that it is a crime to act as a loan officer in Ohio without first having obtained a license from the Superintendent of Financial Institutions for the Department of Commerce. I further understand that submission of my application materials does not authorize me to act as a loan officer; rather, I must first be issued a license by the Superintendent to act as a mortgage loan officer in Ohio.

I also understand that if I am issued a mortgage loan officer license, that license, or the authority granted under that license, is not assignable and cannot be franchised by contract or by any other means. I realize that if I am granted a license, I have ninety days from the date the license is issued to successfully complete an examination approved by the Superintendent. If I fail to do so, my license will automatically terminate.

\_\_\_\_\_  
Signature of Applicant

5-19-03  
Date



RECEIVED  
DIVISION OF FINANCIAL  
INSTITUTIONS

2003 JUL 16 PM 3:06

Loan Officer Application  
Ohio Mortgage Broker Act  
Ohio Revised Code Chapter 1322  
Ohio Administrative Code Chapter 1301:8-7  
(Print or type using black or blue ink.)

CHECK NO. 2589

AMOUNT \$100.-

DATE 6/16/03

REC. BY

1. Company Name: Premier Banc, LLC Company Number: 3378 16253  
(Mortgage Broker Registrant) (Office Use Only)

2. Loan Officer:

Name: Shaun C Cos  
First MI Last

Address: 3993 Trailside Blvd Canal Winchester OH 43110  
Residence Address City State Zip

Date of Birth: 10-16-71 Social Security Number: [REDACTED]

Driver License or State ID Number AQ879368 Issuing State: OHIO

Home Telephone Number: 614-296-3514 Fax Number: 614-575-9271

Has your name ever been legally changed? Yes ☐ No ☒  
If yes, attach a certified copy of the name change order(s).

Have you ever used or been known by any other name? Yes ☐ No ☒  
If the answer is yes, furnish details.

3. Will you hold any other job (including self-employment) while you are employed as a mortgage loan officer? Yes ☐ No ☒  
If the answer is yes, furnish details.

4. Have you or has any company for which you have been an officer, or more than 5% owner or director, ever had a license, certificate, approval to conduct business, or otherwise, canceled, suspended, revoked, fined or refused to be renewed by any court or regulatory agency in this state or any other state? Yes ☐ No ☒  
If the answer is yes, furnish details.

RECEIVED IN LEGAL ON: 7-9-03

5. Have you or has any company for which you have been an officer, or more than 5% owner or director, ever been convicted of or pleaded guilty to any criminal offense including, but not limited to, theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities?  
If the answer is yes, furnish details. Yes ☐ No ☒

6. Have you or has any company for which you have been an officer, or more than 5% owner or director, ever been subject to any adverse judgment for conversion, embezzlement, misappropriation of funds, fraud, misfeasance or malfeasance, or breach of fiduciary duty?  
If the answer is yes, furnish details. Yes ☐ No ☒

7. Have you filed for personal bankruptcy or have you ever been a director, an officer, or more than 5% shareholder, a partner or a joint venturer in any business enterprise which has been insolvent or filed for protection from its creditors?  
If the answer is yes, furnish details. Yes ☐ No ☒

8. The applicant must submit a fingerprint background check as part of the application.  
(Please refer to page 6 of this application for instructions on completing the background verification.)

### ATTESTATION

State of Ohio

Ss.

County of Franklin

Being first duly cautioned, I hereby swear or affirm that I have completed the foregoing Loan Officer Application fully and frankly. The answers are complete and true of my own knowledge.

Shaun Coe

Loan Officer Applicant PRINTED Name

Loan Officer Applicant SIGNATURE

Subscribed and sworn to or affirmed before me this 19 day of May, 2003.

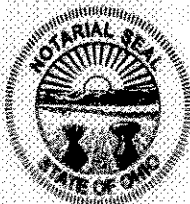
Seal or stamp must be affixed to original

Amy H. Eskins

Notary Public PRINTED Name

Notary Public SIGNATURE

My Commission Expires 9-26-07



AMY H. ESKINS  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
September 26, 2007



# Certificate of Employment

(This form must be completed by the Operations Manager designated under the Mortgage Broker Act, pursuant to R.C. 1322.03.)

In the Matter of the Application of Shawn Coe (full legal name)  
to apply for a license as a Loan Officer under the Ohio Mortgage Broker Act.

## Mortgage Broker Information

Registration Number: MB - 3378

Name of Company: Premier Banc LLC

Address: 6100 Channingway Blvd. Ste 600  
(Street)

Columbus  
(City)

Ohio  
(State)

43232  
(Zip)

Franklin  
(County)

Telephone Number: 614-575-9270

Fax Number: 614-575-9271

Contact Person: Shawn Brown

## ATTESTATION

I CERTIFY that Shawn Coe  
(Applicant First Name) (Middle Name) (Last Name)

will be employed by the above listed Mortgage Broker upon issuance of his/her mortgage loan officer license.

State of Ohio  
County of Franklin Ss.

Being first duly cautioned, I hereby swear or affirm that I have completed the foregoing Certificate of Employment fully and frankly. The answers are complete and true of my own knowledge.

Subscribed and sworn to or affirmed before me this 19 day of May, 200 3.

✓ Shawn Brown  
Operations Manager PRINTED Name

[Signature]  
Operations Manager SIGNATURE

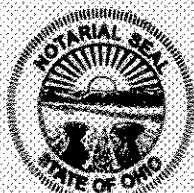
Amy H. Eskins  
Notary Public PRINTED Name

[Signature]  
Notary Public SIGNATURE

My Commission Expires 9-26-07

Seal or stamp must be affixed to original.

02/13/02  
LOA



AMY H. ESKINS  
Notary Public  
in and for the State of Ohio  
My Commission Expires  
September 26, 2007

**Loan Officer Application**  
Ohio Mortgage Broker Act  
Ohio Revised Code Chapter 1322  
Ohio Administrative Code Chapter 1301:8-7

In the Matter of the Application of

Shawn Christopher Coe (full legal name)  
to apply for a license as a Loan Officer in compliance with the Ohio Mortgage Broker Act.  
Ohio Revised Code Chapter 1322 and Ohio Administrative Code Chapter 1301:8-7.

I hereby make Application for a license as a Loan Officer in Ohio, pursuant to the Ohio Mortgage Broker Act. In conformity therewith, I am submitting the following (check each item being submitted) by mailing those items checked to the Division of Financial Institutions:

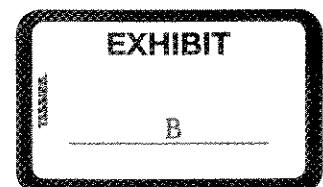
- ☐ (1) One original properly executed Certificate of Employment completed by the Mortgage Broker with whom the Applicant is or will be exclusively employed as a loan officer;
- ☐ (2) One original Mortgage Loan Officer License Application, properly executed;
- ☐ (3) A fingerprint identification card or an Applicant will submit to NBCI background check;
- ☐ (4) A nonrefundable application fee in the amount of \$100, by check or money order made payable to the Department of Commerce, Division of Financial Institutions.

I have read the Ohio Mortgage Broker Act, codified in Revised Code Chapter 1322, and the rules relating thereto, found in Ohio Administrative Code Chapter 1301:8-7, which pertain to mortgage brokering in Ohio. I understand that it is a crime to act as a loan officer in Ohio without first having **obtained a license** from the Superintendent of Financial Institutions for the Department of Commerce. I further understand that **submission of my application materials does not authorize me to act as a loan officer**; rather, I must first be **issued a license** by the Superintendent to act as a mortgage loan officer in Ohio.

I also understand that if I am issued a mortgage loan officer license, that license, or the authority granted under that license, is not assignable and cannot be franchised by contract or by any other means. I realize that if I am granted a license, I have ninety days from the date the license is issued to successfully complete an examination approved by the Superintendent. If I fail to do so, my license will automatically terminate.

[Signature]  
Signature of Applicant

8-18-03  
Date





CHECK NO 2589  
AMOUNT \$100  
DATE 6/16/13  
REC. BY Tom

**Loan Officer Application**  
Ohio Mortgage Broker Act  
Ohio Revised Code Chapter 1322  
Ohio Administrative Code Chapter 1301:8-7  
(Print or type using black or blue ink.)

1. Company Name: Premier Banc LLC Company Number: 802390-16253  
(Mortgage Broker Registrant) (Office Use Only)

2. Loan Officer:

Name: Shaun Coe  
First Last  
Address: 3993 Trailside Blvd Canal Winchester, OH 43110  
Residence Address City State Zip

Date of Birth: 10-6-71 Social Security Number: [REDACTED]

Driver License or State ID Number AQ879368 Issuing State: OH

Home Telephone Number: 614-296-3514 Fax Number: \_\_\_\_\_

Has your name ever been legally changed? Yes ☐ No ☒  
If yes, attach a certified copy of the name change order(s).

Have you ever used or been known by any other name? Yes ☐ No ☒  
If the answer is yes, furnish details.

3. Will you hold any other job (including self-employment) while you are employed as a mortgage loan officer? Yes ☐ No ☒  
If the answer is yes, furnish details.

4. Have you or has any company for which you have been an officer, or more than 5% owner or director, ever had a license, certificate, approval to conduct business, or otherwise, canceled, suspended, revoked, fined or refused to be renewed by any court or regulatory agency in this state or any other state? Yes ☐ No ☒  
If the answer is yes, furnish details.

RECEIVED IN LEGAL ON: 8-22-03

5. Have you or has any company for which you have been an officer, or more than 5% owner or director, ever been convicted of or pleaded guilty to any criminal offense including, but not limited to, theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities?  
If the answer is yes, furnish details. Yes ☐ No ☒

6. Have you or has any company for which you have been an officer, or more than 5% owner or director, ever been subject to any adverse judgment for conversion, embezzlement, misappropriation of funds, fraud, misfeasance or malfeasance, or breach of fiduciary duty?  
If the answer is yes, furnish details. Yes ☐ No ☒

7. Have you filed for personal bankruptcy or have you ever been a director, an officer, or more than 5% shareholder, a partner or a joint venturer in any business enterprise which has been insolvent or filed for protection from its creditors?  
If the answer is yes, furnish details. Yes ☐ No ☒

8. The applicant must submit a fingerprint background check as part of the application.  
(Please refer to page 6 of this application for instructions on completing the background verification.)

### ATTESTATION

State of Ohio

Ss.

County of Franklin

Being first duly cautioned, I hereby swear or affirm that I have completed the foregoing Loan Officer Application fully and frankly. The answers are complete and true of my own knowledge.

Shaun Coe  
Loan Officer Applicant PRINTED Name

\_\_\_\_\_  
Loan Officer Applicant SIGNATURE

Subscribed and sworn to or affirmed before me this 18<sup>th</sup> day of August, 2003.

Seal or stamp must be affixed to original



AMY H. ESKINS  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
September 26, 2007

Amy H. Eskins  
Notary Public PRINTED Name

\_\_\_\_\_  
Notary Public SIGNATURE

My Commission Expires 9-26-07

## Certificate of Employment

(This form must be completed by the Operations Manager designated under the Mortgage Broker Act, pursuant to R.C. 1322.03.)

In the Matter of the Application of Shawn Christopher Coe (full legal name)  
to apply for a license as a Loan Officer under the Ohio Mortgage Broker Act.

### Mortgage Broker Information

Registration Number: MB - 3378

Name of Company: Premier Banc LLC

Address: 6100 Channingway Blvd Ste 600  
(Street)  
Columbus OH 43230 Franklin  
(City) (State) (Zip) (County)

Telephone Number: 614-575-9270 Fax Number: 614-575-9271

Contact Person: Shawn Brown

### ATTESTATION

I CERTIFY that Shawn Christopher Coe  
(Applicant First Name) (Middle Name) (Last Name)

will be employed by the above listed Mortgage Broker upon issuance of his/her mortgage loan officer license.

State of Ohio  
County of Franklin Ss.

Being first duly cautioned, I hereby swear or affirm that I have completed the foregoing Certificate of Employment fully and frankly. The answers are complete and true of my own knowledge.

Subscribed and sworn to or affirmed before me this 18<sup>th</sup> day of August, 2003.

Shawn Brown  
Operations Manager PRINTED Name

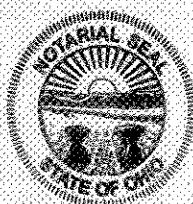
[Signature]  
Operations Manager SIGNATURE

Amy H. Eskins  
Notary Public PRINTED Name

[Signature]  
Notary Public SIGNATURE

My Commission Expires 9-26-03

Seal or stamp must be affixed to original.



AMY H. ESKINS  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
September 26, 2007

LOAN OFFICER APPLICATION 03 AUG 20 AM 9:17

Ohio Mortgage Broker Act  
Ohio Revised Code Chapter 1322  
Ohio Administrative Code Chapter 1301:8-7



**Ohio Department Of Commerce  
Division Of Financial Institutions**

77 South High Street, 21st Floor  
Columbus, Ohio, 43215-6120  
Telephone: (614) 728-8400

"An Equal Opportunity Employer and Service Provider"

**Loan Officer Application**  
Ohio Mortgage Broker Act  
Ohio Revised Code Chapter 1322  
Ohio Administrative Code Chapter 1301:8-7

**EXPLANATION AND INSTRUCTIONS**

Before completing this Mortgage Loan Officer License Application, you should read and be familiar with the Ohio Mortgage Broker Act, codified in R.C. Chapter 1322, and the rules relating to the Act, which are contained in Ohio Administrative Code Chapter 1301:8-7. You should pay specific attention to R.C. 1322.031 and 1322.041. These statutes explain the criteria and procedures for determining your qualifications for obtaining an Ohio Mortgage Loan Officer License. Before the Superintendent will issue a Mortgage Loan Officer License to an applicant, the Superintendent must be convinced that the applicant's character and general fitness will command the confidence of the public and warrant the belief that the Loan Officer will operate honestly and fairly in compliance with the purposes of the Act [See R.C. 1322.041(A)(5)].

**You must answer each question on this application fully and truthfully. Any omission, untruthful answer or incomplete answer may result in your being denied the privilege of obtaining a Mortgage Loan Officer License and acting as a loan officer in the State of Ohio, or in subsequent legal action. Questions 2 through 6 must be fully answered regardless of dismissals or similar terminations, and must include all actions or legal proceedings occurring in any court in any jurisdiction. This includes any matter dismissed favorably to you, filed by you or in which you were involved in any manner other than as a witness.**

If you have any doubts about whether any matter should be reported on this application, report it. If you are not sure of the dates, times, places, or other information requested, you should consult the court, government agency, or other entity involved to obtain the correct and full information.

If the space provided for any answer is inadequate, complete your answer on a separate sheet, specifying the question to which it relates, and attach this sheet to the application. Sign each additional sheet you provide. **The answers to your application must be verified in front of a notary public.** Mail your completed application, along with the supporting documentation to the following address:

Department of Commerce  
Division of Financial Institutions  
77 South High Street, 21<sup>st</sup> Floor  
Columbus, Ohio 43215-6120



# Ohio Department of Commerce

Division of Financial Institutions  
77 South High Street • 21st Floor  
Columbus, OH 43215-6120  
(614) 728-8400  
www.com.state.oh.us

Bob Taft  
Governor

Lt. Governor Jennette Bradley  
Director

January 22, 2004

## Loan Officer License Application Denial

Dear Applicant:

The Division intends to deny your loan officer license application. You will find the reason(s) for the denial detailed in the enclosed public notice, which also explains that you have a right to a hearing on the matter if properly requested.

If you wish to request a hearing, the request must be made in writing and the written request must be received in the offices of the Ohio Division of Financial Institutions within thirty (30) days of the date of the mailing of this notice. If you fail to request a hearing within this statutory time period, the Division will issue an order denying your application.

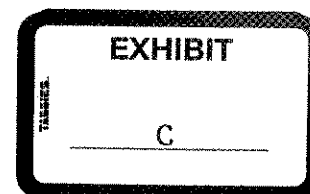
To request a hearing, fill out the enclosed HEARING REQUEST FORM and **MAIL** your request to: Ohio Division of Financial Institutions, Consumer Finance Legal Section, 77 South High Street, 21<sup>st</sup> Floor, Columbus, OH 43215-6120. All hearings will be held in Columbus, Ohio.

Remember; if you wish to contest the Division's decision to deny your loan officer license application, the Division must RECEIVE the enclosed HEARING REQUEST FORM no later than February 23, 2004. FAXED REQUESTS WILL NOT BE ACCEPTED.

Respectfully,

Amanda M. Axtell  
Consumer Finance Counsel  
Division of Financial Institutions

Enclosures





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

In the matter of:

SHAUN C. COE  
3993 Trailside Boulevard  
Canal Winchester, Ohio 43110

) Case No. 04-0007-LOD

) Notice of Intent to Deny Loan Officer License Application  
&

) Notice of Opportunity for a Hearing

**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 Broker Act, codified in Ohio Revised Code ("R.C.") Chapter 1322. In accordance therewith, the Division is accountable for the licensing of individuals as residential mortgage loan officers.

**RESPONDENT**

SHAUN C. COE ("Respondent") has applied to the Division for a loan officer license. His address of record is 3993 Trailside Boulevard, Canal Winchester, Ohio 43110, and his date of birth is October 6, 1971. Respondent's employer of record is Premier Banc, LLC, 6100 Channingway Boulevard, Suite 600, Columbus, Ohio 43232.

**NOTICE OF PROPOSED ACTION**

In accordance with sections 1322.041 and 1322.10 of the R.C., and R.C. Chapter 119, the Division intends to DENY Respondent's loan officer license application.

**BASIS FOR PROPOSED ACTION**

- I. In or around 1989, in the Municipal Court of Fairfield County, Ohio, Respondent was convicted of PETTY THEFT.
- II. On or around May 19, 2003, Respondent attested in a sworn statement that information he provided on a licensing application was truthful, knowing that the information he provided was false.
- III. On or around June 16, 2003, Respondent provided untruthful information to the state of Ohio, Department of Commerce, Division of Financial Institutions.

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

1. Respondent has not proven that he is honest, truthful, and of good reputation, and that there is no basis in fact for believing that he will not commit another criminal offense involving theft or any criminal offense involving money or securities. See R.C. sections 1322.031(A)(2) and 1322.041(A)(3).
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. See R.C. 1322.041(A)(5).

3. Respondent violated R.C. 1322.07(A), which prohibits a loan officer applicant from "mak[ing] any substantial misrepresentation in any registration or license application[.]"
4. Respondent violated R.C. 1322.07(B), which prohibits a loan officer applicant from "[m]ak[ing] false or misleading statements of a material fact, [or] omissions of statements required by state law[.]"
5. Respondent violated R.C. 1322.07(C), which prohibits a loan officer applicant from "[e]ngagin[ing] in conduct that constitutes improper, fraudulent, or dishonest dealings."

**NOTICE OF OPPORTUNITY FOR A HEARING ON PROPOSED ACTION**

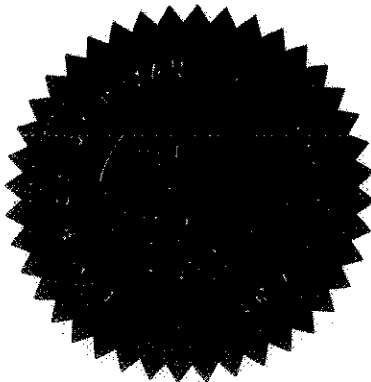
Therefore, pursuant to R.C. Chapters 1322 and 119, Respondent is hereby notified that thirty-one (31) days from the date of the mailing of this Notice, the Superintendent intends to issue an order denying Respondent a loan officer license under the Ohio Mortgage Broker Act.

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: Diane Wagenbrenner—Consumer Finance Staff 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.


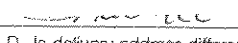
If the Ohio Division of Financial Institutions does not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of this Notice, the Superintendent will issue an order denying Respondent a loan officer license.

Signed and sealed this 22<sup>nd</sup> day of January, 2004.



**ROBERT M. GRIESER**  
Deputy Superintendent for Consumer Finance  
Division of Financial Institutions  
Ohio Department of Commerce

CERTIFIED MAIL # 7002 2030 0002 6800 5153

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