

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

In the matter of:	)	Case No. M2005-9991140
	)	
<b>MATTHEW D. HUDAK</b>	)	<b>Notice of Intent to Deny Loan Officer Renewal Application</b>
6065 Manshine Court	)	<b>&amp;</b>
Galloway, Ohio 43026	)	<b>Notice of Opportunity for a Hearing</b>
	)	

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**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**

**MATTHEW D. HUDAK** ("Respondent") has applied to the Division to renew his loan officer license. His address of record is 6065 Manshine Court, Galloway, Ohio 43026, and his date of birth is March 3, 1971. Respondent currently has no employer of record.

**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 renewal application.

**BASIS FOR PROPOSED ACTION**

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.031(B), and has found the following:

- A. In or around 2006, in the Court of Common Pleas, Franklin County, Ohio, Respondent pleaded guilty to and was convicted of THEFT.
- B. In or around 2006, in the Court of Common Pleas, Franklin County Ohio, Respondent pleaded guilty to and was convicted of two counts of ATTEMPTED FORGERY.

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

- 1. The Respondent has been convicted of a theft offense as described in R.C. 1322.031, and that, as a result, the Division is not authorized to renew Respondent's loan officer license to Respondent pursuant to R.C. 1322.041(A)(3) and 1322.041(B)(3).
- 2. Respondent's actions, as listed above, show that Respondent has not proven that Respondent is honest, truthful, and of good reputation, and that there is no basis in fact for believing that Respondent will not commit another criminal offense involving forgery or any criminal offense involving money or securities. See R.C. sections 1322.031(A)(2) and 1322.041(A)(3).

3. 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 Broker Act. See R.C. 1322.041(A)(5).

**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: Carrie V. Moore, Consumer Finance Associate Counsel, 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 16<sup>th</sup> day of February 2007.

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**RICHARD F. KECK**

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