

- F. R.C. 1321.55(B)(1) requires each registrant to file with the division each year a report under oath or affirmation, on forms supplied by the division, concerning the business and operations for the preceding calendar year.
- G. After verbal advice from the Division, the annual report filed by Respondent for 2007 remains incomplete.

WHEREAS, Respondent admits the allegations of the Division's October 28, 2008 Notice.

NOW THEREFORE, in consideration of the foregoing and the mutual promises set forth herein, the parties agree to the following:

- 1) The parties acknowledge and agree to the accuracy of the Division's findings listed above.
- 2) Respondent acknowledges lawful service and receipt of the Notice, and stipulates to the jurisdiction of the Division in this matter.
- 3) Nothing in this Settlement and Consent Order shall be deemed to prevent the Division or its employees, agents, or assignees from participating in, as a witness or otherwise, any lawful action by another, or obeying any lawful court order, arising out of or related to the matters set forth in the Notice.
- 4) In lieu of suspending Respondent's certificate of registration under the Ohio Mortgage Loan Act, Respondent agrees to pay a fine for the violation of law described herein in the amount of three hundred dollars (\$300.00). Payment shall be in the form of a cashier's check or money order, made payable to "Consumer Finance Fund," and shall be submitted to the Division with this Settlement and Consent Order.
- 5) Respondent has filed with the Division, in 2008, the required annual report for business conducted under the Ohio Mortgage Loan Act in 2007. The annual report was incomplete in that it failed to provide the "Number of OMLA loans held as of December 31, 2007." Respondent agrees to provide to the Division, with this executed Agreement, the Number of OMLA loans held as of December 31, 2007.
- 6) Respondent hereby agrees to forego its administrative remedies, and waive any and all rights to an administrative hearing, as well as any right to appeal this matter or order.
- 7) The Division hereby terminates the Notice of Intent to Suspend Certificate of Registration and Notice of Opportunity for Hearing issued October 28, 2008.

- 8) This Settlement and Consent Order shall be effective on the date it is signed by the Deputy Superintendent of the Division of Financial Institutions and on such date it will become a final order.
- 9) This Settlement and Consent Order contains the entire agreement between the parties as to the matters set forth herein and no promises, conditions or obligations, either expressed or implied, other than those set forth herein, shall be binding on either party.
- 10) The parties agree that the terms of this Settlement and Consent Order bind the parties hereto, and their shareholders, partners, members, assignees, and successors in interest.
- 11) Respondent releases the Division, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter. Respondent shall not seek attorney fees or other costs arising from the within matter.
- 12) This Settlement and Consent Order shall be considered a public record as that term is used in R.C. 149.43, and may be reported to appropriate organizations, data banks, and governmental bodies, or released to the general public.
- 13) Respondent has been advised by the Division to seek legal counsel if it has any questions concerning the terms and/or effect of this Settlement and Consent Order.
- 14) Respondent must submit this Settlement and Consent Order completed per the terms dictated herein, no later than November 28, 2008.

For purposes of effecting this Settlement and Consent Order, it is hereby ORDERED and DECREED that the parties to this Settlement and Consent Order shall abide by the terms of this Order as agreed.

This Settlement Agreement & Consent Order shall become effective upon the last date of signature below.

The Settlement Agreement & Consent Order must be signed by: the owner if the registrant is a sole proprietor; all partners if the registrant is a partnership; at least one member if the registrant is a limited liability company; and the president and secretary, as duly authorized by resolution of the board of directors, if the registrant is a corporation. **The ORIGINAL, signed Settlement Agreement & Consent Order with all pages attached must be returned.** Keep a copy for your records.

PRINTED Name of authorized signor #1: _____
Date

SIGNATURE of authorized signor #1: _____
Date

PRINTED Name of authorized signor #2: _____
Date

SIGNATURE of authorized signor #2: _____
Date

LEIGH A. WILLIS Date
Deputy Superintendent for Consumer Finance
Ohio Division of Financial Institutions

MARTHA S. RHEA Date
Consumer Finance Attorney Examiner
Ohio Division of Financial Institutions