

**STATE OF OHIO
DEPARTMENT OF COMMERCE
Division of Financial Institutions
77 South High Street, 21st Floor
Columbus, Ohio 43215-6120**

In the matter of:) Case No. M2007-700
)
ROBIN HILDRETH) **Notice of Intent to Revoke Loan Officer License**
7527 Hickory Road) **&**
Oakwood, Ohio 44146) **Notice of Opportunity for a Hearing**
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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, and the rules adopted thereunder.

RESPONDENT

Respondent Robin Hildreth aka Robin Pruett, Robin Ferrell and Robin Ferrell-Hildreth ("Respondent") holds a loan officer license (LO#030310) issued by the Division pursuant to R.C. 1322. Respondent currently has no employer of record, and her loan officer license is being held in escrow. Respondent's previous employer of record was Platinum Mortgage Group, Ltd. which holds mortgage broker certificate of registration credential number 802509. Respondent's home address of record is 7527 Hickory Road, Oakwood, Ohio 44146, and her date of birth as submitted by Respondent on her loan officer application is March 31, 1971.

NOTICE OF PROPOSED ACTION

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

BASIS FOR PROPOSED ACTION

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.10(B), and has found the following:

- A. The Division is authorized by R.C. 1322.10(A)(1)(a) to revoke a loan officer license if the Division finds that the licensee has violated or failed to comply with any provision of sections 1322.01 to 1322.12 of the Revised Code or the rules adopted under those sections.
- B. The Division is authorized by R.C. 1322.10(A)(1)(b) to revoke a loan officer license if the Division finds that the licensee has pleaded guilty to or been

convicted of “any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, drug trafficking, or any criminal offense involving money or securities.”

- C. On or about April 1, 1998, Respondent entered a plea of guilty before Cuyahoga County Common Pleas Court Judge Pat Kelly to one count of robbery (R.C. 2911.02(A)(3)) in the case of State of Ohio v. Robin Pruett, Docket No. CR-97-354810-ZA.
- D. On or about May 3, 2000, after a trial and deliberations before the Cuyahoga County Common Pleas Court Judge David Matia, a jury found Respondent guilty of uttering (R.C. 2913.31), in the case of State of Ohio v. Robin Pruett, Docket No. CR-00-386104-A.
- E. On or about September 19, 2001, Respondent entered a plea of guilty before Cuyahoga County Common Pleas Court Judge Timothy McGinty to attempted taking the identity of another (R.C. 2923.02 and 2913.49) and misuse of credit Cards (R.C. 2913.21), in the case of State of Ohio v. Robin Pruett, Docket No. CR-01-405860-B.
- F. On or about August 13, 2004, Respondent entered a plea of guilty before Cuyahoga County Common Pleas Court Judge Nancy Fuerst to tampering with records (R.C. 2913.42) and identity fraud (R.C. 2913.49), in the case of State of Ohio v. Robin Ferrell, Docket No. CR-04-449395-ZA.
- G. On or around February 6, 2006, Respondent attested in a sworn statement that information she provided about her criminal background on her first loan officer license application submitted to the Division was complete and truthful when it was not, in that she falsely swore she had no past criminal convictions when she did.
- H. On or about February 9, 2006, Respondent submitted the fingerprints of an unknown individual to National Background Check, Inc., for the purpose of conducting a criminal history background check as required for all loan officer applicants pursuant to R.C. 1322.031(B)(1). Because of Respondent’s deception, the criminal history background check determined there was no arrest record for Respondent when there was.
- I. In February 2006, in an attempt to obtain a loan officer license, Respondent provided said untruthful information about her criminal background and fingerprints to the Division.
- J. On or around April 30, 2007, Respondent again attested in a sworn statement that information she provided about her criminal background on her 2007 Loan Officer Renewal Application submitted to the Division was complete and truthful when it was not, in that she falsely swore she had no pas criminal convictions when she did.

- K. On or around April 30, 2007, in an attempt to renew her loan officer license, Respondent again provided said untruthful information about her criminal background to the Division.

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

1. Respondent's actions, as listed in paragraphs C through K, violated R.C. 1322.07(A), which states "[n]o...licensee, or applicant for a...license under sections 1322.01 to 1322.12 of the Revised Code shall...[o]btain a certificate of registration or license through any false or fraudulent representation of a material fact or any omission of a material fact required by state law, or make any substantial misrepresentation in any registration or license application";
2. Respondent's actions, as listed in paragraphs C through K, violated R.C. 1322.07(B), which states "[n]o...licensee, or applicant for a...license under sections 1322.01 to 1322.12 of the Revised Code shall...[m]ake false or misleading statements of a material fact, omissions of statements required by state law, or false promises regarding a material fact, through advertising or other means, or engage in a continued course of misrepresentations";
3. Respondent's actions, as listed in paragraphs C through K, violated R.C. 1322.07(C), which prohibits a loan officer applicant from "[e]ngag[ing] in conduct that constitutes improper, fraudulent, or dishonest dealings."
4. 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)(6).
5. Because Respondent has violated R.C. 1322.07(A), (B), and (C) and fails to meet the character and fitness requirements for loan officer license issuance or renewal pursuant to R.C. 1322.041(A)(6) and (B)(3), Respondent's loan officer license should be revoked pursuant to R.C. 1322.10(A)(1)(a).
6. Because Respondent has been convicted of a theft offense as described in R.C. 1322.031(A)(2), Respondent does not meet the requirements for loan officer license issuance or renewal pursuant to R.C. 1322.041(A)(3) and (B)(3). Accordingly, Respondent's loan officer license should be revoked pursuant to R.C. 1322.10(A)(1)(b), and such revocation shall be permanent pursuant to R.C. 1322.10(E).

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 revoking Respondent's loan officer license.

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: Jacqueline Mallett, Attorney Examiner, 77 South High Street, 21st 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 revoking Respondent's loan officer license.

Signed and sealed this 21st day of December 2007.

LEIGH A. WILLIS

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