

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

Bob Taft
Governor

Gary C. Suhadolnik
Director

In the matter of:)	
DANIEL ROBERT MOTHERSBAUGH)	Case No. 02-LO-D-12
1229 Lexington Avenue)	
Akron, Ohio 44310)	Notice of Intent to Deny Loan Officer License
)	&
)	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 required to accept applications for loan officer licenses, to investigate each applicant, to determine whether an applicant meets the licensure requirements, and to issue qualified applicants a loan officer license.

Daniel Robert Mothersbaugh ("Respondent") has applied to the Division for a loan officer license.

Respondent: **DANIEL ROBERT MOTHERSBAUGH**
1229 Lexington Avenue
Akron, Ohio 44310
D.O.B.: April 11, 1970

Employer: **MADISON MORTGAGE GROUP, INC.**
2044 Front Street
Cuyahoga Falls, Ohio 44221

NOTICE OF PROPOSED ACTION

Pursuant to R.C. 1322.031(B), the Division has conducted an investigation of Respondent and, as a result thereof, intends to deny Respondent, Daniel Robert Mothersbaugh, a license to act as a loan officer under the Ohio Mortgage Broker Act.

BASIS FOR PROPOSED ACTION

The results of the Division's investigation indicate that Respondent, Daniel Robert Mothersbaugh, has been convicted of a criminal offense involving theft, receiving stolen

property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or a criminal offense involving money or securities. R.C. 1322.031(A)(2); R.C. 1322.041(A)(3). TO WIT:

1. In or around July 1993, in the Portage County Municipal Court, Respondent, Daniel Robert Mothersbaugh, was convicted of THEFT, a first degree misdemeanor.

Given Respondent's criminal convictions, the Division believes that:

1. Respondent has not proven that he is honest, truthful, and of good reputation, and that there is no basis in fact to believe that he will not commit such an offense again. R.C. 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. R.C. 1322.041(A)(5); and that
3. The public would be best served and that the purpose of the Ohio Mortgage Broker Act would be realized if Respondent, Daniel Robert Mothersbaugh, is denied a license to act as a loan officer in the state of Ohio.

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:

State of Ohio
Department of Commerce
Division of Financial Institutions
Attn: Attorney Amanda Axtell
77 South High Street, 21st Floor
Columbus, Ohio 43215-6120

