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

In the matter of:) Case No. M2007-506
BENJAMIN A. DAY 949 Karlslyle Drive	ORDER OF LICENSE SUSPENSION
Columbus, Ohio 43228) NOTICE OF HEARING
)

DIVISION ORDER

WHEREAS, 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; and

WHEREAS, Benjamin A. Day ("Respondent") holds a loan officer license number 18867 issued by the Division. His address of record is 949 Karlslyle Drive, Columbus, Ohio 43228, and his date of birth is March 14, 1977. Respondent's employer of record is America's Mortgage Group, Inc., 250 Old West Wilson Bridge Road, Suite 250, Worthington, Ohio 43082; and

WHEREAS, R.C. 1322.10 (F)(2) requires the Division to suspend, without a prior hearing, the license of a licensee who failed to fulfill the continuing education requirements of R.C. 1322.052 until such time as the required continuing education is completed and a fine of five hundred dollars (\$500.00) is paid to the treasurer of state to the credit of the consumer finance fund; pursuant to Ohio Administrative Code section 1301:8-7-08 (C)(4), an individual with a suspended license is not permitted to originate residential mortgage loans; and

WHEREAS, Respondent held a loan officer license during the 2006 calendar year and failed to fulfill the continuing education requirements of R.C. 1322.052 for calendar year 2006; and

Pursuant to R.C. 1322.10 (F)(2), loan officer license number 18867 issued to Respondent is hereby SUSPENDED.

It is so ordered.

NOTICE OF HEARING ON SUSPENSION ORDER

Therefore, pursuant to R.C. 1322.10 (F)(4), R.C. Chapter 119 and Section 1301:8-7-27 of the Ohio Administrative Code, Respondent is hereby notified that a hearing shall be held Wednesday, October 10, 2007 at 9:30 a.m. in the Library located on the 21st Floor of the Vern Riffe Center for Government and the Arts, 77 South High Street in Columbus.

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.

Signed and sealed this 12th day of September 2007.

RICHARD F. KECK

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