

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

In the matter of:)	Case No. M2007-654
)	
MICHAEL L. BAKER)	Notice of Intent to Deny Loan Officer License Application
3803 Salisbury Road)	&
South Euclid, OH 44121)	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 accountable for the licensing of individuals as residential mortgage loan officers.

RESPONDENT

MICHAEL L. BAKER ("Respondent") has applied to the Division for a loan officer license. His address of record is 3803 Salisbury Road, South Euclid, Ohio 44121, and his date of birth is September 12, 1967. His mailing address of record is P.O. Box 30792, Gahanna, Ohio 43230. Respondent's employer of record is R & Drake Corporation, 73 Shull Avenue, Gahanna, Ohio 43230.

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 application.

BASIS FOR PROPOSED ACTION

- I. In or around 1991, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent plead guilty to **TRAFFICKING IN DRUGS**, a felony of the fourth degree.
- II. In or around 1994, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent plead guilty to **CARRYING CONCEALED WEAPONS AND HAVING WEAPONS WHILE UNDER DISABILITY**, a felony of the third degree.
- III. In or around 2000, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent plead guilty to **AGGRAVATED VEHICULAR HOMICIDE**, a felony of the second degree.
- IV. In or around 2007, in the Municipal Court of Franklin County, Ohio, Respondent plead guilty to **OPERATING A VEHICLE UNDER THE INFLUENCE**, a misdemeanor of the first degree.

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

1. Respondent's activities since his 1991 conviction for trafficking do not demonstrate that he is honest, truthful, and of good reputation, and that there is no basis for believing that he will not commit such an offense again. See 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. See R.C. 1322.041(A)(6).

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: Lori A. Massey - 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 denying Respondent a loan officer license application.

Signed and sealed this 8th day of April, 2008.

LEIGH A. WILLIS

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