

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

In the matter of:)	Case No. M2009-208
)	
MICHAEL M. GRIFFIN)	<u>DIVISION ORDER</u>
5011 Castlerea Court)	Refusal to Issue Loan Officer License
Columbus, OH 43221)	&
)	Notice of Appellate Rights

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, as codified in Ohio Revised Code ("R.C.") Chapter 1322, and finds that this Order is necessary and appropriate, in the interest of the public, and is consistent with the purposes of the Ohio Mortgage Broker Act; and

WHEREAS, Michael M. Griffin ("Respondent") applied to the Division for a loan officer license pursuant to R.C. Chapter 1322; and

WHEREAS, on March 4 2010, the Division issued Respondent a Notice which informed him that the Division had conducted an investigation of Respondent and, as a result thereof, alleged that:

1. In June 2008, Certificate of Judgment No. 08-JG-06-023625 was entered against the Respondent related to Delaware County Common Pleas Court case *Gerald T. French v. Marcia Griffin and Michael Griffin* (Case No. 2007 CV 327) in the amount of \$87,712.46 plus costs and interest.
2. Respondent's unpaid civil judgment shows that 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) and Ohio Admin. Code 1301: 8-7-21(H).
3. Because Respondent did not meet the conditions for issuance outlined in R.C. 1322.041(A)(6), the Division has the authority to refuse issuance of loan officer license to Respondent. See R.C. 1322.10(A)(1)(a).

WHEREAS, the Notice informed Respondent of the Division's intent to refuse to issue a loan officer license to Respondent and of the opportunity for a hearing regarding the refusal if requested within thirty days from the mailing of the Notice. The Notice further cautioned Respondent that "[i]f the Ohio Division of Financial Institutions d[id] not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of th[e] Notice, the Superintendent w[ould] issue an order refusing to issue Respondent a loan officer license[;]"

WHEREAS, the Notice mailed to Respondent via certified mail on March 4, 2010 by certified mail was returned to the Division “unclaimed,” and the Division mailed the Notice to the Respondent via ordinary mail, pursuant to R.C. 119.07, on March 23, 2010;

WHEREAS, the Notice mailed to Respondent via ordinary mail on March 23, 2010 was not returned to the Division;

WHEREAS, Respondent failed to request a hearing and thereby failed to defend against the Division’s allegations;

WHEREAS, the Division finds that the allegations contained in the Notice are true and that Respondent should be refused a license to act as a loan officer;

Respondent, Michael M. Griffin’s loan officer license application is hereby REFUSED.

IT IS SO ORDERED.

NOTICE OF RIGHT TO APPEAL

Respondent is hereby notified that this Order may be appealed, pursuant to R.C. 119.12, by filing a notice of appeal with the Ohio Division of Financial Institutions, setting forth the Order appealed from and the grounds for the appeal. A copy of such notice of appeal must also be filed with the court of common pleas of the county in which the place of business of the Respondent is located, or the county in which the Respondent is a resident. A notice of appeal must be filed within fifteen (15) days after the date of mailing of this Order.

Signed and sealed this 28th day of April, 2010.

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