

STATE OF OHIO  
DEPARTMENT OF COMMERCE  
**DIVISION OF FINANCIAL INSTITUTIONS**  
77 South High Street, 21<sup>st</sup> Floor  
Columbus, Ohio 43215-6120

In the matter of:	)
	) <b>Case No. 05-0004LOR</b>
<b>JEFFREY I. STIRES</b>	)
8800 Wildbrook Ct.	) <b>Notice of Intent to Revoke</b>
West Chester, OH 45069	) <b>Loan Officer License           &amp;</b>
	) <b>Notice of Opportunity for a Hearing</b>
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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 enforcing the Ohio Mortgage Broker Act, codified in Ohio Revised Code ("R.C.") Chapter 1322, and the rules adopted thereunder.

**RESPONDENT**

Respondent Jeffrey I. Stires ("Respondent") holds an active loan officer license (LO# 001403) issued by the Division pursuant to R.C. 1322. Respondent's employer of record is McKinley Mortgage, LLC, whose main office operates under certificate of registration number MB 1521. Respondent's home address of record is 8800 Wildbrook Ct., West Chester, OH 45069 and his date of birth is November 15, 1954.

**NOTICE OF PROPOSED ACTION**

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

**ALLEGATIONS**

Pursuant to R.C. 1322.10(B), the Division conducted an investigation into the affairs of Respondent, and as a result thereof, alleges the following:

1. Previously, Respondent was a partner of and the Operations Manager of Ohio Financial Group, Ltd. This limited liability company held Certificates of Registration under the Ohio Mortgage Broker Act from approximately December 2, 1996 until Mr. Stires notified the Division that this Mortgage Broker was no longer operating on or about August 23, 2005.

2. On or about April 8, 2003, Respondent, on behalf of Ohio Financial Group, Ltd., applied for the 2003 Renewal of Ohio Financial Group, Ltd.'s Mortgage Broker Certificate of Registration. He signed the application as "Jeffrey I. Stires partner." Question 3 of the 2003 Mortgage Broker Renewal Application states: "Does any registrant, owner, partner, shareholder, member, officer, director, or operations manager have any unpaid civil judgment against him/her?" This question was answered no.
3. On or about March 25, 2004, Respondent, on behalf of Ohio Financial Group, Ltd., applied for the 2004 Renewal of Ohio Financial Group, Ltd.'s Mortgage Broker Certificate of Registration. He signed the application as "Jeffrey I. Stires, partner." Question 3 of the 2004 Mortgage Broker Renewal Application states: "Does the registrant, owner, partner, shareholder, member, officer, director, or operations manager have any unpaid civil judgment against him/her? If yes, a certified copy of the judgment entry and proof of payment history must be attached to this application or the application will not be processed." This question was answered "no," and no certified copy of any civil judgment or payment history was attached to the application.
4. On or about April 14, 2005, Respondent, on behalf of Ohio Financial Group, Ltd., applied for the 2005 Renewal of Ohio Financial Group, Ltd.'s Mortgage Broker Certificate of Registration. He signed the application as "Jeffrey I. Stires, partner." Question 3 of the 2005 Mortgage Broker Renewal Application states: "Does the registrant, owner, partner, shareholder, member, officer, director, or operations manager have any unpaid civil judgment against him/her? If yes, a certified copy of the judgment entry and proof of payment history must be attached to this application or the application will not be processed." This question was answered "no," and no certified copy of any civil judgment or payment history was attached to the application.
5. There exists a judgment against Jeffrey I. Stires and Deborah K. Stires, 8800 Wildbrook Ct., West Chester, OH 45069 in favor of the State of Ohio, Department of Taxation, in the amount of \$13,888.77, filed in the Butler County Court of Common Pleas on or about January 29, 2003.
6. Respondent failed to disclose this civil judgment on Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Renewal Applications.
7. There exists a judgment against Jeffrey I. Stires of 8800 Wildbrook Ct., West Chester, OH 45069 in the amount of \$37,216.81 in favor of the State of Ohio, Department of Taxation, filed in the Butler County Court of Common Pleas on or about January 5, 2005.
8. Respondent failed to disclose this civil judgment on Ohio Financial Group, Ltd.'s 2005 Renewal Application.
9. R.C. 1322.07(A) prohibits mortgage brokers, registrants, licensees or applicants for a certificate of registration or licenses under the Ohio Mortgage Broker Act from

obtaining 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 from making any substantial misrepresentation in any registration or license application.

10. By failing to disclose his 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(A). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(A).
11. R.C. 1322.07(B) prohibits mortgage brokers, registrants, licensees or applicants for certificates of registration or licenses from making 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.
12. By failing to disclose his 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(B). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(B).
13. R.C. 1322.07(C) prohibits mortgage brokers, registrants, licensees or applicants for certificates of registration or licenses from engaging in conduct that constitutes improper, fraudulent, or dishonest dealings.
14. By failing to disclose the 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(C). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(C).
15. Respondent applied for a loan officer license with McKinley Mortgage, LLC on or about August 16, 2005. He was issued a loan officer license on August 23, 2005.

### **FINDINGS**

Based upon the allegations above, the Division determines the following:

1. By failing to disclose his 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(A). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker

Certificate of Registration renewal application, Respondent violated R.C. 1322.07(A).

2. By failing to disclose his 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.02(B). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(B).
3. By failing to disclose the 2003 civil judgment in Ohio Financial Group, Ltd.'s 2003, 2004, and 2005 Mortgage Broker Certificate of Registration renewal applications, Respondent violated R.C. 1322.07(C). By failing to disclose the 2005 civil judgment in Ohio Financial Group, Ltd.'s 2005 Mortgage Broker Certificate of Registration renewal application, Respondent violated R.C. 1322.07(C).

### **PROPOSED ACTION**

Based upon the allegations and findings above, the Division intends to REVOKE the loan officer license of Jeffrey I. Stires (LO# 001403).

### **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 the loan officer license of Jeffrey I. Stires (LO# 001403).

**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 to:**

**State of Ohio  
Department of Commerce  
Division of Financial Institutions  
Attn: Attorney Timothy C. Winslow  
77 South High Street, 21<sup>st</sup> 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 the loan officer license LO# 001403.

Signed and Sealed this 2<sup>nd</sup> day of November, 2005.

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Robert M. Grieser  
Deputy Superintendent of Financial Institutions

Cc: Timothy C. Winslow, In House Counsel—Division of Financial Institutions  
Matt Lampke, Asst. Attorney General, Business & Government Regulation

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