

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

In the matter of:	)	Case No. M2006-999285
	)	
<b>BRIAN M. BRIGANTI</b>	)	<b>Notice of Intent to Deny Loan Officer License Application</b>
6805 Kirkwood	)	&
Mentor, Ohio 44060	)	<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 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**

**BRIAN M. BRIGANTI** ("Respondent") has applied to the Division for a loan officer license. His address of record is 6805 Kirkwood, Mentor, Ohio 44060, and his date of birth is March 2, 1967. Respondent's employer of record is Mortgage Placement Services, Inc., 7200 Center Street, 3<sup>rd</sup> Floor, Mentor, Ohio 44060.

**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**

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.031(B), and has found the following:

1. In or around 2004, in the Lake County, Ohio, Court of Common Pleas, Respondent was convicted of AGGRAVATED MENACING.
2. In or around 1999, in the Mentor, Ohio, Municipal Court, Respondent was convicted of DRIVING WHILE INTOXICATED.
3. In or around 1996, in the Mentor, Ohio, Municipal Court, Respondent was convicted of FALSIFICATION.
4. In or around 1991, in the Mentor, Ohio, Municipal Court, Respondent was convicted of CONTEMPT.
5. In or around 1991, in the Mentor, Ohio, Municipal Court, Respondent was convicted of DRIVING UNDER SUSPENSION.
6. In or around 1988, in the Mentor, Ohio, Municipal Court, Respondent was convicted of DRIVING UNDER SUSPENSION.

7. In or around 1987, in the Mentor, Ohio, Municipal Court, Respondent was convicted of DRIVING UNDER SUSPENSION.
8. In or around 1987, in the Mentor, Ohio, Municipal Court, Respondent was convicted of FLEEING AND ELUDING.
9. In or around 1987, in the Mentor, Ohio, Municipal Court, Respondent was convicted of HIT SKIP.
10. In or around 1987, in the Mentor, Ohio, Municipal Court, Respondent was convicted of OPEN CONTAINER.
11. In or around 1985, in the Mentor, Ohio, Municipal Court, Respondent was convicted of DRIVING WHILE INTOXICATED.
12. In or around 1985, in the Mentor, Ohio, Municipal Court, Respondent was convicted of RECEIVING STOLEN PROPERTY.

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

1. Respondent's actions, as listed above, show that he has not proven that he is honest, truthful, and of good reputation, and that there is no basis in fact for believing that he will not commit another criminal offense involving receiving stolen property or any criminal offense involving money or securities. See R.C. sections 1322.031(A)(2) and 1322.041(A)(3).
2. Respondent's actions, as listed above, show his 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)(5).

**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: Jason K. Wright, Consumer Finance Associate Counsel, 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 denying Respondent a loan officer license.

Signed and sealed this 24<sup>th</sup> day of May 2006.

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**ROBERT M. GRIESER**

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