

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. Respondent completed a 2005 and 2006 Mortgage Broker Certificate of Registration Renewal Application in order to renew its Certificates of Registration. Question 8 of the renewal applications states: "Has the registrant or any owner, partner, shareholder, member, officer, director, operations manager been named in any civil or administrative action that involved insurance, securities, or consumer or real estate lending or brokering? Include pending actions."
2. Respondent responded "No" to the above question on the renewal applications.
3. The 2005 and 2006 renewal applications were signed by Respondent's President, Nicholas Mayer Jr., on April 15, 2005, and April 17, 2006 and were notarized.
4. Respondent's certificates of registration were renewed by the Division.
5. A civil lawsuit was filed on October 30, 2003, by Amerquest Mortgage Company in the Court of Common Pleas of Cuyahoga County, Ohio, Case No. CV-03-513668. Respondent Great Lakes National Mortgage Banc, Inc. dba Great Lakes National Mortgage Company and Nicholas Mayer, its President, were named as third party defendants in that suit. This lawsuit was pending at the time Respondent filed its 2005 and 2006 Renewal Applications.
6. Respondent was aware of this pending action, Case No. CV-03-513668, having been served with the complaint on April 19, 2004; and having filed an answer to the third party complaint on May 6, 2004. Respondent's President, Nicholas Mayer, was aware of this pending action having been served with the complaint on April 17, 2004.
7. Another civil lawsuit was filed on August 11, 2005, by Frankie Jo Henry in the Court of Common Pleas of Cuyahoga County, Ohio, Case No. CV-05-569690. Respondent Great Lakes National Mortgage Banc, Inc., Great Lakes National Mortgage Company and Nicholas Mayer, its President, were named as defendants in that suit. This lawsuit was pending at the time Respondent filed its 2006 Renewal Application.
8. Respondent was aware of this pending action, Case No. CV-05-569690, having been served with the complaint on August 17, 2005; and having filed an answer to the complaint on November 23, 2005. Respondent's President, Nicholas Mayer, was aware of this pending action having been served with the complaint on August 19, 2005.
9. Another civil lawsuit was filed on November 24, 2004, by Carmen Molina in the Court of Common Pleas of Cuyahoga County, Ohio, Case No. CV-04-548495. Respondent Great Lakes National Mortgage Company was named as a

defendant in that suit. This lawsuit was pending at the time Respondent filed its 2005 and 2006 Renewal Applications.

10. Respondent was aware of this pending action, Case No. CV-04-548495, having been served with the complaint on December 6, 2004; and having filed an answer to the complaint on January 19, 2005.
11. The above-mentioned lawsuits all allege that Respondent and/or its President violated sections of R.C. 1322, the Ohio Mortgage Broker Act.
12. R.C. 1322.07(A) prohibits mortgage brokers, registrants, licensees, and applicants 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 make any substantial misrepresentation in any registration or license application.
13. R.C. 1322.07(B) prohibits mortgage brokers, registrants, licensees, and applicants 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.
14. R.C. 1322.07(C) prohibits mortgage brokers, registrants, licensees, and applicants from engaging in conduct that constitutes improper, fraudulent, or dishonest dealings.
15. R.C. 1322.05(B)(1) requires registrants to give notice to the Superintendent by certified mail of any action that is brought by a buyer against the registrant or loan officer of the registrant alleging injury by a violation of any provision of sections 1322.01 to 1322.12 of the Revised Code. The notice shall provide details sufficient to identify the action, and shall be filed with the superintendent within ten days after the commencement of the action.
16. Respondent made substantial misrepresentations on its 2005 and 2006 Mortgage Broker Renewal Applications by failing to disclose the above-mentioned civil lawsuits against it.
17. Respondent failed to notify the Division of the filing of Case Nos. CV-03-513668, CV-05-569690, and CV-04-548495 in the Court of Common Pleas of Cuyahoga County, Ohio within ten days of the commencement of the actions or thereafter.

FINDINGS

Based upon the allegations above, the Division has determined the following:

1. Respondent violated 1322.07(A) of the Ohio Mortgage Broker Act by representing on its 2005 and 2006 Mortgage Broker Renewal Applications that the registrant has not been named in any civil lawsuit involving real estate lending or brokering and by making a substantial misrepresentation in its registration application.
2. Respondent violated R.C. 1322.07(B) by making a false or misleading statement of a material fact on its 2005 and 2006 Mortgage Broker Renewal Applications and in engaging in a continued course of misrepresentations by not disclosing to the Division that it was named in a lawsuit with allegations of violations of the Ohio Mortgage Broker Act within 10 days of commencement of the lawsuit.
3. Respondent violated R.C. 1322.07(C) by improperly denying that it was named in a civil lawsuit on its 2005 and 2006 Mortgage Broker Renewal Applications.
4. Respondent violated R.C. 1322.05(B)(1) by failing to notify the Division within ten days of the commencement of Case Nos. CV-03-513668, CV-05-569690, and CV-04-548495 in the Cuyahoga County Court of Common Pleas of the filing of such cases.

PROPOSED ACTION

Based upon the allegations and findings above, the Division intends to REVOKE the Mortgage Broker Certificates of Registration MB#3161 and MB#5575 for Great Day Lending.com, Inc. dba Great Lakes National Mortgage Company for the violation of R.C. 1322.07(A), R.C. 1322.07(B), 1322.07(C) and R.C. 1322.05(B).

NOTICE OF OPPORTUNITY FOR A HEARING ON PROPOSED ACTION

Therefore, pursuant to R.C. Chapters 1322 and 119, Respondents are 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 mortgage broker certificates of registration MB#3161 and MB#5575 for Great Day Lending.com, Inc. dba Great Lakes National Mortgage Company.

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, 21st Floor
Columbus, Ohio 43215-6120**

At the hearing, Respondent may appear, 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 mortgage broker certificates of registration MB#3161 and MB#5575 for Great Day Lending.com, Inc. dba Great Lakes National Mortgage Company.

Signed and Sealed this _____ day of April, 2007.

Richard F. Keck
Acting Deputy Superintendent of Consumer
Finance

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