

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

In the matter of:

ROBERT P. MILD

7090 Stewart Sharon Road

Hubbard, Ohio 44425

) Case No. 04-0328-LOR

)

) **Notice of Intent to Revoke Loan Officer License**

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) **Notice of Opportunity for a Hearing**

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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, and the rules adopted thereunder.

RESPONDENT

ROBERT P. MILD ("Respondent") holds an active loan officer license, LO #12262, issued by the Division. Respondent's current employment of record is Mild Financial Services, LLC, certificate of registration number MB 5335. His address of record is 7090 Stewart Sharon Road, Hubbard, Ohio 44425 and his date of birth is April 7, 1967. Respondent's former employer of record was East Coast Financial Corp.

NOTICE OF PROPOSED ACTION

In accordance with R.C. §1322.10(A)(1)(a) and (b), and pursuant to R.C. Chapter 119, the Division intends to **REVOKE** Respondent's loan officer license.

BASIS FOR PROPOSED ACTION

1. In accordance with R.C. §1322.10(A)(1)(a), the superintendent of the Division may revoke a loan officer license if the superintendent finds that the licensee has violated or failed to comply with any provisions of sections 1322.01 to 1322.12 of the Revised Code or the rules under those sections or any other law applicable to the businesses conducted under a certificate of registration.
2. In accordance with R.C. §1322.10(A)(1)(b), the superintendent of the Division may revoke a loan officer license if the superintendent finds that the licensee has been convicted or pleaded guilty to any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities.
3. In accordance with R.C. §1322.07(A), no licensee shall obtain a 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 license application.

4. In accordance with R.C. §1322.07(C), a licensee is prohibited from engaging in conduct that constitutes improper, fraudulent, or dishonest dealings.
5. In accordance with R.C. §1322.07(D), it is a violation for a licensee to fail to notify the Division within thirty days after they have been convicted or plead guilty, in a court of competent jurisdiction of this state or any other state, to any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any other criminal offense involving money or securities.
6. On or about September 3, 2003, in the Trumbull County Court of Common Pleas, case number 02-CR-529, Respondent pleaded guilty to an amended indictment of one count of AGGRAVATED THEFT, 5 counts of MONEY LAUNDERING, and 5 counts of ATTEMPTED MONEY LAUNDERING.
7. On or about November 26, 2003, Respondent's conviction for the above stated crimes was entered and Respondent was sentenced to payment of court costs, six months incarceration in the Trumbull County Jail, restitution in the amount of \$796,000.00, and a \$50.00 monthly probation supervision fee.
8. On or about April 21, 2004, the Division received Respondent's Loan Officer Renewal Application. On the application, Respondent wrongfully denied that he had been arrested, charged, or convicted by any state or federal authority of any criminal offense (excluding minor traffic violations). Further, Respondent on his renewal application also wrongfully denied that he had been subject to any adverse judgment for conversion, embezzlement, misappropriation of funds, fraud, misfeasance, malfeasance, or breach of fiduciary duty.
9. Respondent failed to notify the Division within thirty (30) days of his guilty plea and subsequent conviction in the criminal matters referenced herein, and instead sought to conceal his criminal conviction from the Division.

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

1. Respondent's guilty plea in the Trumbull County Court of Common Pleas, case number 02-CR-529, of one count of AGGRAVATED THEFT, 5 counts of MONEY LAUNDERING, and 5 counts of ATTEMPTED MONEY LAUNDERING is one which disqualifies him from maintaining his loan officer's license pursuant to R.C. §1322.10(A)(1)(b).
2. Respondent's failure to disclose his criminal record as required by R.C. §1322.07(D) violated R.C. §1322.10(A)(1)(a).
3. Respondent's misappropriation of funds in connection with his criminal conduct as set forth above constitutes improper, fraudulent and dishonest dealings in violation of R.C. §1322.07(C) and disqualifies him from maintaining his loan officer's license pursuant to R.C. §1322.10(A)(1)(a).
4. Respondent's omission and false representation that he had no criminal record, concerns an issue of material fact, and constitutes a substantial misrepresentation on a license application in violation of R.C. §1322.07(A) making revocation proper pursuant to R.C. §1322.10(A)(1)(a).

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 Respondent's loan officer license.

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: Timothy Winslow—Staff Attorney, 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 his 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 Respondent's loan officer license.

Signed and sealed this _____ day of _____, 2004.

ROBERT M. GRIESER

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

CERTIFIED MAIL