

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

In the matter of:)	Case No. M2008-324
)	
LOANINSIGHTS, INC.)	Notice of Intent to Fine Mortgage Broker Registrant
1452 Bush Street, Unit 10)	&
San Francisco, California 94109)	Notice of Opportunity for a Hearing
)	

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 thereto.

RESPONDENT

LoanInsights, Inc. ("Respondent") is a foreign corporation authorized to conduct business in Ohio that holds an active certificate of registration issued by the Division to engage in business as a mortgage broker pursuant to R.C. Chapter 1322. Respondent's main office address of record is 1452 Bush Street, Unit 10, San Francisco, California 94109.

NOTICE OF PROPOSED ACTION

In accordance with R.C. Chapter 119 and R.C. 1322.10(A)(2), the Division intends to levy a fine in the amount of three thousand dollars (\$3,000.00) against Respondent for violating Ohio Administrative Code ("O.A.C.") Rules 1301:8-7-19(F).

BASIS FOR PROPOSED ACTION

Pursuant to R.C. 1322.10(B), the Division has conducted an investigation of Respondent. As a result thereof, the Division has found the following:

- I. R.C. 1322.02(A) states that "[n]o person...shall act as a mortgage broker without first having obtained a certificate of registration from the superintendent of financial institutions *for every office to be maintained* by the person for the transaction of business as a mortgage broker in this state." (Emphasis added). A mortgage broker registrant is prohibited from transacting any business regulated under the Ohio Mortgage Broker Act ("OMBA") at any address other than the address on its certificate of registration.
- II. A mortgage broker registrant is required to notify the Division in writing of an address change at least thirty days prior to the effective date of the relocation, in accordance with O.A.C. Rule 1301:8-7-19(H). In addition, a registrant cannot change its address by filing a renewal application indicating a new address on the application. Rather,

O.A.C. Rule 1301:8-7-04(F) requires that address changes shall be made in compliance with O.A.C. Rule 1301:8-7-19.

- III. On April 2, 2008, the Division received the 2008 mortgage broker annual renewal application from Respondent. On the main/branch office roster, Respondent drew a line through the Loveland, Ohio branch location and in handwriting indicated that this branch “closed December 1st, 2007[.] New Office location information included in the enclosed Relocation Application.”
- IV. On April 2, 2008, the Division also received a mortgage broker relocation application from Respondent notifying the Division that it had changed its branch office location from 422 Wards Corner Road, Loveland, Ohio 45140 to 7659 Montgomery Road, Suite 3, Cincinnati, Ohio 45236.
- V. Respondent conducted business that is regulated under the OMBA at 7659 Montgomery Road, Suite 3, Cincinnati, Ohio 45236, while Respondent’s certificate of registration listed Respondent’s address as 422 Wards Corner Road, Loveland, Ohio 45140.
- VI. Based on Respondent’s actions as explained in the paragraphs above and pursuant to R.C. 1322.10(A)(1) and (2), the Division is authorized to revoke or suspend Respondent’s certificate of registration or to fine Respondent one thousand dollars (\$1,000.00) for each day a violation of law or rule is committed, repeated, or continued. In addition, the Division is authorized to impose a fine of two thousand dollars for each day a violation is committed, repeated or continued if the registrant engages in a pattern of repeated violations of a rule or law.

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

- 1. Respondent has violated R.C. 1322.02(A), O.A.C. Rules 1301:8-7-04(F), and 1301:8-7-19(H).
- 2. A fine in the amount of three thousand dollars (\$3,000.00) is reasonable, appropriate and necessary.

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 imposing a fine of three thousand dollars (\$3,000.00) on Respondent.

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: Jacqueline Mallett, Consumer Finance 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 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 imposing a fine in the amount of three thousand dollars (\$3,000.00) on Respondent.

Signed and sealed this 23rd day of May 2008.

LEIGH A. WILLIS

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