

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

In the matter of:)	Case No. M2008-68
)	
DAVID F. KOPEC)	Notice of Intent to Deny Loan Officer License Application
1133 McKelvey Road)	&
Cincinnati, OH 45231)	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. In accordance therewith, the Division is accountable for the licensing of individuals as residential mortgage loan officers.

RESPONDENT

DAVID F. KOPEC ("Respondent") has applied to the Division for a loan officer license. His address of record is 1133 McKelvey Road, Cincinnati, Ohio 45231, and his date of birth is September 17, 1968. Respondent's employer of record is Secure American Mortgage, Inc., 4000 Executive Park Drive Suite 300, Cincinnati, Ohio 45241.

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

Pursuant to R.C. 1322.031(B), the Division conducted an investigation of Respondent and found that in or around 2005, in the Municipal Court of Hamilton County, Ohio, Respondent entered a plea of no contest/nolo contendere and was found guilty of unauthorized use of property, a misdemeanor of the fourth degree.

As a result of the finding listed above, the Division has determined that Respondent was found guilty of unauthorized use of property, a theft related offense as set forth in R.C. 2913.01(K). See Ohio Admin. Code 1301:8-7-01(K). Therefore, pursuant to R.C. 1322.041(B)((3) and (A)(3), the Division is not authorized to issue a loan officer license to Respondent under the Ohio Mortgage Broker Act.

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: Lori A. Massey - Attorney Examiner, 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 denying Respondent a loan officer license application.

Signed and sealed this 14th day of April, 2008.

LEIGH A. WILLIS

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