

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

In the matter of:)	Case No. M2008-555
)	
PIERRE D. HABER)	<u>DIVISION ORDER</u>
7834 Crossover Boulevard)	Denial of Loan Officer License Renewal Application
Columbus, OH 43235)	&
)	Notice of Appellate Rights
)	

The Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions (the "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 licensure of mortgage loan officers..

Respondent, Pierre D. Haber ("Respondent"), submitted an application ("Application") to the Division to renew his loan officer license, which expired on April 30, 2008. On July 6, 2009, the Division notified Respondent that it intended to deny the renewal of his loan officer license based upon the following allegations:

1. In or around 1995 and 1996, Respondent may have been convicted of various crimes in California including Grand Theft of Personal Property.
2. On September 25, 2008, a DFI Examiner attempted to conduct an investigation of the Respondent pursuant to R.C. 1322.06(A), 1322.041(A) and 1322.031(B), and requested that Respondent provide the Division with certified copies of the judgment entries which evidence the final disposition of the criminal cases.
3. The Respondent failed to respond to the Division's September 25, 2008 letter.
4. R.C. 1322.072(A) prohibits a person from knowingly circumventing, obstructing, or failing to cooperate with an examination conducted pursuant to R.C. 1322.06(A).
5. Respondent's actions listed in paragraph 3 above violated R.C. 1322.072(A).
6. Because respondent violated R.C. 1322.072(A), the Respondent does not meet the qualification for license renewal found in R.C. 1322.041(A)(2) and (B)(3).
7. Because Respondent violated R.C. 1322.072(A), Respondent's character and 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 sections 1322.01 to 1322.12 of the Revised Code. See R.C. 1322.041(A)(6) and (B)(3).

Respondent requested an administrative hearing which was held before a hearing officer on December 7, 2009. Respondent did not appear but was represented by counsel at the hearing. The hearing officer's Report and Recommendation was filed with the Division on December 30, 2009, recommending that the Division deny the Application. (A copy of the Report and Recommendation is attached). No objections were filed.

In accordance with R.C. 119.09, the Division has considered the record, consisting of the Report and Recommendation, the transcript of testimony and exhibits, as well as all applicable laws. Following its review of the record, the Division hereby adopts the hearing officer's recommendation. Therefore, the Division denies the loan officer license renewal application of Pierre D. Haber.

It is so ordered.

NOTICE OF APPELLATE RIGHTS

Respondent is hereby notified that pursuant to R.C. 119.12, this Order may be appealed by filing a notice of appeal with the Ohio Division of Financial Institutions setting forth the Order appealed from and the grounds for the appeal. A copy of such notice of appeal must also be filed with the court of common pleas of the county in which the place of business of the Respondent is located, or the county in which the Respondent is a resident. A notice of appeal must be filed within fifteen (15) days after the date of mailing of this Order.

Signed and sealed this 29th day of January, 2010.

LEIGH A. WILLIS
Deputy Superintendent for Consumer Finance
Division of Financial Institutions
Ohio Department of Commerce