

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

In the matter of:)	Case No. M2008-647
)	
GUY L. RUTHERFORD)	<u>DIVISION ORDER</u>
dba AMERIPLAN MORTGAGE)	
26250 Euclid Avenue, Suite 531J)	CONTINUATION OF SUSPENSION
Euclid, Ohio 44132)	
)	

WHEREAS, the Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions (“Division”) and charged with the responsibility of administering and enforcing the Ohio Mortgage Broker Act, as codified in Ohio Revised Code (“R.C.”) Chapter 1322, the Division finds that this Order is necessary and appropriate, in the interest of the public, and is consistent with the purposes of the Ohio Mortgage Broker Act;

WHEREAS, the Division, on October 23, 2008, issued Guy L. Rutherford dba, Ameriplan Mortgage, Inc. (“Respondent”) an Order of Registration Suspension automatically suspending Respondent’s mortgage broker certificate of registration pursuant to Revised Code (“R.C.”) 1322.10(F)(1)(b); and

An administrative hearing was held on January 29, 2009. Respondent failed to appear. A Report and Recommendation was filed with the Division on February 16, 2009, recommending that the Division order Respondent to cease and desist all mortgage broker activity and continue the suspension Respondent’s Registration. (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, the transcript of testimony and exhibits, as well as all applicable laws. As a result, the Division hereby CONTINUES THE SUSPENSION of Respondent’s Registration pursuant to R.C. 1322.10(F)(1)(b).

It is so ordered.

NOTICE OF RIGHT TO APPEAL

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 seal this 29th day of April 2009.

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