

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

In the matter of:)	Case No. M2009-777
)	
TIMOTHY C. PITMAN)	<u>DIVISION ORDER</u>
95 West Park Street)	Denial of Loan Officer License Application
Westerville, OH 43081)	&
)	Notice of Appellate Rights

WHEREAS, 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, as codified in Ohio Revised Code ("R.C.") Chapter 1322, 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; and

WHEREAS, Timothy C. Pitman ("Respondent") applied to the Division for a loan officer license pursuant to R.C. Chapter 1322; and

WHEREAS, on October 1, 2009, the Division issued Respondent a Notice which informed him that the Division had conducted an investigation of Respondent and, as a result thereof, alleged that:

1. Respondent held a loan officer license in calendar year 2004;
2. Respondent failed to complete six (6) hours of continuing education in calendar year 2004 as required by R.C. 1322.052; and
3. Because Respondent failed to comply with R.C. 1322.052, the Division is authorized under R.C. 1322.10(A)(1)(a) to refuse to issue a loan officer license.

The Notice was mailed to Respondent, via certified mail, on October 1, 2009, and service was perfected;

On October 8, 2009, the Division received Respondent's hearing request. The Division scheduled the hearing for November 19, 2009. Respondent attended the hearing and represented himself.

A Report and Recommendation ("Report") was filed with the Division on December 16, 2009, recommending that the Division deny issuance of a loan officer license to Respondent until Respondent completes his 2004 continuing education and pays any required fines and charges. The Division sent Respondent a copy of the Report by certified mail on December 16, 2009, and the certified mail was received by Respondent. Respondent filed objections on December 24, 2009.

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 and Respondent's objections. (A copy of the Report is attached hereto). Following its review of the record, the Division hereby adopts the hearing officer's recommendation. Therefore, the Division denies the loan officer license application of Timothy C. Pitman.

It is so ordered.

NOTICE OF RIGHT TO APPEAL

Respondent is hereby notified that this Order may be appealed, pursuant to R.C. 119.12, 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 21st day of January, 2010.

LEIGH A. WILLIS

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