

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

In the matter of:)	Case No. M2008-49
)	
SANDY L. ELLIS)	Notice of Intent to Deny Loan Officer License Application
1956 Sperrys Forge Trail)	&
Westlake, OH 44145)	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

SANDY L. ELLIS ("Respondent") has applied to the Division for a loan officer license. Her address of record is 1956 Sperrys Forge Trail, Westlake, Ohio 44145, and her date of birth is March 14, 1966. Respondent's employer of record is Home Mortgage Assured Corporation dba Howard Hanna Mortgage Services, 4141 Rockside Road, 3rd Floor, Seven Hills, Ohio 44131.

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

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.031(B), and has found the following:

- A. R.C. 1322.041(A)(3) prohibits the Division from issuing a license to an applicant who has been convicted of or pleaded guilty to a theft offense. See R.C. 1322.031(A)(2).
- B. In or around 2005, in the Court of Common Pleas, Cuyahoga County, Ohio, Respondent was convicted of theft, a misdemeanor of the first degree. The records of the conviction have been sealed pursuant to R.C. 2953.32; however, the Division may consider the conviction for application purposes pursuant to R.C. 2953.33(B) because a theft offense bears a direct and substantial relationship to an applicant's ability to receive a loan officer license.
- C. On February 27, 2007 in Case No. 05-003-LOR, the Division permanently revoked Respondent's loan officer license pursuant to R.C. 1322.10(A)(1)(b) and (E).

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

- 1. Because Respondent has been convicted of a theft offense as described in R.C. 1322.031, the Division is not authorized to issue a loan officer license to Respondent pursuant to R.C. 1322.041(A)(3).

2. Because Respondent's loan officer license has been permanently revoked pursuant to R.C. 1322.10(A)(1)(b) and (E), Respondent is not eligible to be issued a loan officer license.

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: Anthony D. Siciliano, Consumer Finance General Counsel, 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.

Signed and sealed this 14th day of February 2008.

LEIGH A. WILLIS

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