

STATE OF OHIO
DEPARTMENT OF COMMERCE
DIVISION OF FINANCIAL INSTITUTIONS
77 South High Street, 21st Floor
Columbus, Ohio 43215-6120

In the matter of:)	
)	Case No. 04-0013MBD
Wellington Mortgage Services, LLC)	
dba Wellington Mortgage)	Notice of Intent to Deny Renewal of
836 West South Boundary)	Mortgage Broker Certificate of
Perrysburg, OH 43551)	Registration
)	&
)	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 enforcing the Ohio Mortgage Broker Act, codified in Ohio Revised Code ("R.C.") Chapter 1322, and the rules adopted thereunder.

RESPONDENT

Respondent Wellington Mortgage Services, LLC dba Wellington Mortgage, ("Respondent") is an Ohio limited liability company which held a mortgage broker certificate of registration, MB#2816, issued by the Division pursuant to R.C. 1322. Respondent's mortgage broker certificate of registration expired on April 30, 2004, and Respondent filed an application to renew its certificate; the renewal application remains pending. Respondent's business address of record is 836 West South Boundary, Perrysburg, OH 43551.

NOTICE OF PROPOSED ACTION

In accordance with R.C. 1322.04(B) and 1322.10(A)(1)(a), and pursuant to R.C. Chapter 119, the Division intends to DENY Respondent's 2004 renewal application for a mortgage broker certificate of registration.

BASIS FOR PROPOSED ACTION

Pursuant to R.C. 1322.10(B) and R.C. 1322.04(B), the Division conducted an investigation into the affairs of Respondent, and as a result thereof, alleges the following:

1. On or around July 2, 2004, in the Court of Common Pleas of Wood County, Ohio, Respondent's principal owner and Operations Manager, Jeff Wenzlick, was convicted of sexual battery and burglary.

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

1. The Respondent does not meet the conditions for renewal, as set forth by R.C. 1322.04(B).
2. Respondent has not proven that its principal owner and Operations Manager, Jeff Wenzlick, is honest, truthful, and of good reputation, and there is no basis in fact for believing that he will not commit another criminal offense involving sexual battery and burglary. See R.C. sections 1322.04(A)(7) and 1322.10(A)(1)(b).
3. Respondent's character and general fitness do not command the confidence of the public and warrant the belief that its business will be operated honestly and fairly in compliance with the Ohio Mortgage Broker Act. R.C. 1322.04(A)(10).

PROPOSED ACTION

Based upon the allegations and findings above, the Division intends to DENY THE 2004 RENEWAL application for a Mortgage Broker Certificate of Registration for Wellington Mortgage Services LLC dba Wellington Mortgage.

NOTICE OF OPPORTUNITY FOR A HEARING ON PROPOSED ACTION

Therefore, pursuant to R.C. Chapters 1322 and 119, Respondents are hereby notified that thirty-one (31) days from the date of the mailing of this Notice, the Superintendent intends to issue an ORDER DENYING THE RENEWAL of the mortgage broker certificate of registration MB 2816 for Wellington Mortgage Services, LLC dba Wellington Mortgage.

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 to:

**State of Ohio
Department of Commerce
Division of Financial Institutions
Attn: Attorney Timothy C. Winslow
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 THE RENEWAL of the mortgage broker certificate of registration MB 2816 for Wellington Mortgage LLC dba Wellington Mortgage.

Signed and Sealed this _____ day of _____, 2004.

Robert M. Grieser
Deputy Superintendent of Financial Institutions

Cc: Timothy C. Winslow, In House Counsel—Division of Financial Institutions
Emily Smith, Asst. Attorney General, Business & Government Regulation

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