

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

In the matter of:	)	Case No. M2008-525
	)	
<b>RODNEY E. PAULEY</b>	)	<b>DIVISION ORDER</b>
343 Locust Street	)	<b>Denial of Loan Officer License Renewal</b>
Toledo, Ohio 43604	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>
	)	

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**DIVISION ORDER**

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, codified in Ohio Revised Code ("R.C.") Chapter 1322, and the rules adopted thereunder; and

WHEREAS, **RODNEY E. PAULEY** ("Respondent") applied to the Division for renewal of his loan officer license pursuant to R.C. Chapter 1322; and

WHEREAS, on August 11, 2008, 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:

- A. On August 3, 2000, Respondent appeared in the Superior Court of Dekalb County, Georgia, before Judge Clarence F. Seeliger and entered a plea of guilty to one count of Theft by Taking (O.G.C.A. 16-8-2), in *State of Georgia v. Rodney Eugene Pauley*, Case No. 99CR4789.
- B. On or around January 25, 2005, June 28, 2005, November 28, 2005 and April 29, 2008, Respondent attested in sworn statements that information he provided on licensing applications was truthful, knowing that the information he provided was false.
- C. On or around January 25, 2005, June 28, 2005, November 28, 2005 and April 29, 2008, Respondent provided untruthful information to the State of Ohio, Department of Commerce, Division of Financial Institutions.
- D. Based on Respondent's guilty plea, as shown above, the Division has the authority to deny the renewal of Respondent's loan officer license pursuant to R.C. 1322.10(A)(1)(b).
- E. Based on Respondent's guilty pleas, as shown above, the Division has determined that the Respondent has been convicted of a theft offense as described in R.C. 1322.031(A)(2), and, therefore, the Division is not authorized to renew Respondent's loan officer license pursuant to R.C. 1322.041(A)(3) & (B)(3).

- F. Based on Respondent's violations of 1322.07(A), (B) and (C), the Division has the authority to deny the renewal of Respondent's loan officer license pursuant to R.C. 1322.10(A)(1)(a).
- G. As a result of the violations listed above, Respondent's character and general 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 the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(6).

WHEREAS, the Notice informed Respondent of the Division's intent to deny Respondent's loan officer license renewal application and of the opportunity for a hearing regarding the denial if requested within thirty days from the mailing of the Notice;

WHEREAS, The Notice further cautioned Respondent that "[i]f the Ohio Division of Financial Institutions d[id] not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of th[e] Notice, the Superintendent w[ould] issue an order denying Respondent's loan officer license renewal[;]"

WHEREAS, the Notice was mailed to Respondent, via certified mail, on August 11, 2008, and service was perfected;

WHEREAS, Respondent failed to request a hearing and thereby failed to defend against the Division's allegations;

WHEREAS, the Division finds that the allegations contained in the Notice are true and that Respondent's loan officer license should be denied;

Respondent, Rodney E. Pauley's loan officer license renewal application is hereby DENIED.

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 22nd day of September 2008.

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**LEIGH A. WILLIS**

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