

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

In the matter of:

**PATRICK V. LUCK**  
734 Eight Mile Road  
Cincinnati, OH 45255

) Case No. M2009-160  
)  
) **DIVISION ORDER**  
) **Denial of Loan Officer License Application**  
) &  
) **Notice of Appellate Rights**

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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, Patrick V. Luck ("Respondent") applied to the Division for a loan officer license pursuant to R.C. Chapter 1322; and

WHEREAS, on October 8, 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 failed to disclose information requested on his loan officer license application in violation of R.C. 1322.07(A);
2. Respondent attested that the answers provided in his loan officer application were true when they were not; and
3. Pursuant to R.C. 1322.10(A)(1)(a), the superintendent is authorized to refuse issuance of a loan officer license for violations of R.C. 1322.07(A).

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

WHEREAS, the Notice mailed to Respondent via certified mail on October 8, 2009 by certified mail was returned to the Division "unclaimed," and the Division mailed the Notice to the Respondent via ordinary mail, pursuant to R.C. 119.07, on November 13, 2009;

WHEREAS, the Notice mailed to Respondent via ordinary mail on November 13, 2009 was not returned to the Division;

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 should be denied a license to act as a loan officer;

Respondent, Patrick V. Luck's loan officer license 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 12<sup>th</sup> day of January, 2010.

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