

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

In the matter of:)	Case No. M2009-644
)	
DIANN DILLINGHAM)	Notice of Intent to Deny Loan Officer License Application
7416 Polo Springs Court)	&
Fairfield, OH 45014)	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 ("OMBA"), 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

DIANN DILLINGHAM ("Respondent") has applied to the Division for a loan officer license. Respondent's address of record is 7416 Polo Springs Court, Fairfield, Ohio 45014, and her date of birth is August 24, 1953. Respondent's employer of record is Creative Lending Solutions, Inc., 11499 Chester Road, Suite 505, Cincinnati, Ohio 45246

NOTICE OF PROPOSED ACTION

In accordance with R.C. sections 1322.041 and 1322.10 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. 1322.10(B), and has found the following:

- A. On or about January 22, 1998, a Certificate of Judgment for Lien Upon Land and Tenements (JD98 01 0047) was filed in the matter *Fifth Third Bank v. Diann L. Dillingham* based on a judgment rendered in Butler County Court of Common Pleas case no. CV97 06 1408 in the amount of \$11,694.00 in favor of Fifth Third Bank and against Respondent. The lien remains in place.
- B. On or about August 4, 2008, a Certificate of Judgment for Lien Upon Land and Tenements (JD2008 10 3111) was filed in the matter *Fin Stag Saba&Pattn Co LPA v. Diann Dillingham aka Diann Ham* based on a judgment rendered in Hamilton County Municipal Court case no. 08CV08510 in the amount of \$9,712.78 in favor of Fin Stag Saba&Pattn Co, LPA and against Respondent. The lien remains in place.

- C. On or about June 29, 2009, a Certificate of Judgment (JD2009 08 2288) was filed in the matter *Kemba Credit Union, Inc. v. Diann Dillingham* based on a judgment rendered in Fairfield Municipal Court, Civil Division, case no. 2008 CV F 00833 for the sum of \$2,906.08, plus interest, in favor of Kemba Credit Union, Inc. and against Respondent. The judgment remains in place.
- D. On or about July 14, 2009, the Butler County Court of Common Pleas, in case no. ST 2009 07 2756, recorded a judgment lien in favor of the Ohio Department of Taxation and against Respondent in the amount of \$835.42.

As a result of the findings listed above, the Division has determined that Respondent's outstanding judgments show 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. Accordingly, Respondent does not meet the requirement found in R.C. 1322.041(A)(6) for issuance of 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's loan officer license application 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's loan officer license application.

Signed and sealed this 30th day of October, 2009.

LEIGH A. WILLIS

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