

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. 04-0014MBD
Stan M. Hoard)	
dba Hoard and Associates)	Notice of Intent to Deny Renewal of
7037 Stillwater Cove)	Mortgage Broker Certificate of
Westerville, OH 43231)	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 Stan M. Hoard dba Hoard and Associates, ("Respondent") is a sole proprietorship which holds an active mortgage broker certificate of registration issued by the Division pursuant to R.C. 1322. The business address of record for Respondent is 7037 Stillwater Cove, Westerville, OH 43231 with certificate of registration number MB 536.

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 RENEWAL of Respondent's 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. In or around December 2003- January 2004, in the United States District Court for the Southern District of Ohio, Stanley M. Hoard pleaded guilty to and was convicted of income tax evasion.
2. Tax evasion is a criminal offense involving money as set forth in R.C. 1322.03(A)(7).

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)(3).
2. Respondent has not proven he, as the principal owner and Operations Manager of this mortgage broker, 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 income tax evasion. 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 RENEWAL of the Mortgage Broker Certificate of Registration MB 536 for Stanley M. Hoard dba Hoard and Associates.

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 536 for Stanley M. Hoard dba Hoard and Associates.

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 536 for Stanley M. Hoard dba Hoard and Associates.

Signed and Sealed this 10th day of September, 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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