

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

In the matter of:)	Case No. M2008-555
)	
PIERRE D. HABER)	Notice of Intent to Deny Loan Officer License Renewal
7834 Crossover Boulevard)	&
Columbus, OH 43235)	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, 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

PIERRE D. HABER ("Respondent") is an individual that held a loan officer license issued by the Division to originate residential mortgage loans pursuant to R.C. Chapter 1322. Respondent's loan officer license expired on April 30, 2008, and Respondent filed an application to renew his license; that renewal application remains pending. Respondent's employer of record is Oxford Lending Group, LLC, One East Campus View Boulevard, Suite 200, Columbus, Ohio 43235.

NOTICE OF PROPOSED ACTION

In accordance with sections 1322.041 and 1322.10 of the R.C., and R.C. Chapter 119, the Division intends to DENY Respondent's loan officer license renewal application.

BASIS FOR PROPOSED ACTION

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.031(B), and has found the following:

1. In or around 1995 and 1996, Respondent may have been convicted of various crimes in California including Grand Theft of Personal Property.
2. On September 25, 2008, a DFI Examiner attempted to conduct an investigation of the Respondent pursuant to R.C. 1322.06(A), 1322.041(A) and 1322.031(B), and requested that Respondent provide the Division with certified copies of the judgment entries which evidence the final disposition of the criminal cases.
3. The Respondent failed to respond to the Division's September 25, 2008 letter.
4. R.C. 1322.072(A) prohibits a person from knowingly circumventing, obstructing, or failing to cooperate with an examination conducted pursuant to R.C. 1322.06(A).

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

- A. Respondent's actions listed in paragraph 3 above violated R.C. 1322.072(A).

- B. Because respondent violated R.C. 1322.072(A), the Respondent does not meet the qualification for license renewal found in R.C. 1322.041(A)(2) and (B)(3).
- C. Because Respondent violated R.C. 1322.072(A), Respondent's character and 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 sections 1322.01 to 1322.12 of the Revised Code. See R.C. 1322.041(A)(6) and (B)(3).

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 renewal application.

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: Jacqueline S. Mallett, Attorney Examiner, 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 renewal application.

Signed and sealed this 6th day of July, 2009.

LEIGH A. WILLIS

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