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

In the matter of:	)	Case No. M2007-116
	)	
WILLIAM J. BROWN	)	**DIVISION ORDER**
540 Commonwealth Drive	)	**Denial of Loan Officer License Application**
Cincinnati, Ohio 45244	)	**&**
	)	**Notice of Appellate Rights**
	)	

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 amended by Ohio Senate Bill 76 and codified in Ohio Revised Code ("R.C.") Chapter 1322, the Division 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, William J. Brown ("Respondent") applied to the Division for a loan officer license pursuant to R.C. Chapter 1322; and

WHEREAS, on March 15, 2006, 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. In or around 1995, in the Clermont County, Ohio, Municipal Court, Respondent was convicted of Theft, a misdemeanor of the first degree.

2. Respondent had not proven that he is honest, truthful, and of good reputation, and there is no basis in fact to believe that he would not commit another criminal offense involving passing bad checks, as required by R.C. 1322.031(A)(2) and 1322.041(A)(3); and that

3. 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, as required by R.C. 1322.041(A)(5).

4. Respondent violated R.C. 1322.07(A), which prohibits a loan officer applicant from "mak[ing] any substantial misrepresentation in any registration or license application[.]"

5. Respondent violated R.C. 1322.07(B), which prohibits a loan officer applicant from "[m]ak[ing] false or misleading statements of a material fact, [or] omissions of statement required by state law[.]"

6. Respondent violated R.C. 1322.07(C), which prohibits a loan officer applicant from "[e]ngage[ing] in conduct that constitutes improper, fraudulent, or dishonest dealings."

WHEREAS, the Notice informed Respondent of the Division's intent to deny his 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 a loan officer license[;]"

WHEREAS, the Notice was mailed to Respondent, via certified mail, on March 15, 2006, 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 should be denied a license to act as a loan officer;

Respondent, William J. Brown, is hereby DENIED a loan officer license.

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 20th day of April 2007.

_____

RICHARD F. KECK
Acting Deputy Superintendent for Consumer Finance
Division of Financial Institutions
Ohio Department of Commerce