

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

In the matter of:)	Case No. 05-0082-LOD
)	
MARK T. ROGERS)	<u>DIVISION ORDER</u>
8050 Darbys Run)	Denial of Loan Officer License Application
Chagrin Falls, OH 44023)	&
)	Notice of Appellate Rights
)	

Respondent, Mark T. Rogers (“Respondent”), submitted a loan officer license application to the Division of Financial Institutions (“Division”) on December 2, 2004. On March 17, 2005, the Division notified Respondent that it intended to deny his loan officer license application (“Application”) because: (1) in or around 2003, in the Shaker Heights Municipal Court, Cuyahoga County, Ohio, Respondent was convicted of driving under the influence; (2) in or around 2004, in the Chardon Municipal Court, Geauga County, Ohio, Respondent was convicted of disorderly conduct; (3) Respondent attested in a sworn statement that information he provided on a license application was truthful, knowing that the information provided was false; (4) Respondent provided untruthful information to the State of Ohio, Department of Commerce, Division of Financial Institutions; (5) he violated R.C. 1322.07(A), (B), and (C) by not disclosing his conviction on his loan officer license application; and (6) because his 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 R.C. sections 1322.01 to 1322.12, the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing, which was held on April 26, 2005. A Report and Recommendation (“Report”) was filed with the Division on May 23, 2005, recommending that the Division deny Respondent's Application. No objections were filed.

In accordance with R.C. 119.09, the Division has considered the record, consisting of the Report and Recommendation, the transcript of testimony and exhibits, as well as all applicable laws. (The Hearing Examiner’s Report and Recommendation is attached).

Following its review of the record, the Division hereby adopts the hearing officer’s recommendation and denies the loan officer license application of Mark T. Rogers.

It is so ordered.

NOTICE OF APPELLATE RIGHTS

Respondent is hereby notified that pursuant to R.C. 119.12, this Order may be appealed 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 28th day of September 2006.

ROBERT M. GRIESER

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