

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

In the matter of:)	Case No. 04-0345-LOD
)	
MARK E. SZCZEPINSKI)	Notice of Intent to Deny Loan Officer License Application
1603 Denley Avenue)	&
Cleveland, Ohio 44109)	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

MARK E. SZCZEPINSKI ("Respondent") has applied to the Division for a loan officer license. His address of record is 1603 Denley Avenue, Cleveland, Ohio 44109, and his date of birth is September 11, 1957. Respondent's employer of record is Precision Funding Corporation, 2132 Case Parkway North, Unit A, Twinsburg, Ohio 44087.

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 application.

BASIS FOR PROPOSED ACTION

- I. Having found that Szczepinski sold three hundred eighteen thousand, two hundred and eighty dollars and sixty-one cents (\$318, 280.61) worth of unregistered securities; knowingly misrepresented to investors the risks and suitability of investing in certain unregistered securities; engaged in fraudulent and illegal acts; and violated Ohio securities laws, the Ohio Department of Commerce, through the Division of Securities, issued a Cease and Desist Order against Szczepinski in or around February 2001.
- II. Respondent has been indicted of a second degree felony for violating R.C. § 1707.44(C)(1), which prohibits the sale of unregistered securities; the case remains pending. See Lorain County Court of Common Pleas Case No. 02CR060483, filed on May 29, 2002.

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

1. Respondent's action, as listed above in Paragraph I, shows 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 the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(5).
2. Respondent's action, as listed above in Paragraph II, shows 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 the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(5).

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 a loan officer license 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: Diane Wagenbrenner—Consumer Finance 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 a loan officer license.

Signed and sealed this 19th day of April, 2004.

ROBERT M. GRIESER

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

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