

SETTLEMENT AGREEMENT

03NBSA0048

by and between

THE OHIO DEPARTMENT OF COMMERCE
DIVISION OF FINANCIAL INSTITUTIONS

Consumer Finance Section

77 South High Street, 21st Floor
Columbus, OH 43215-6120

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801770

MARQUETTE D. EVANS

DBA - AMERICA'S CHOICE HOME LOAN S

1600 BRICE ROAD

REYNOLDSBURG, OH 43068

This Settlement Agreement is a legally binding document that affects the rights of your mortgage brokerage company. Read it carefully. If you have any questions, consult an attorney.



CHECK NO CC 0926115
AMOUNT \$ 1000.00
DATE 9-29-2003
REC. BY ALB

If you choose to enter into this Settlement Agreement, you must follow it EXACTLY. If you fail to follow any one filing instruction or any one provision of the Agreement, the Division may reject the Agreement.

All of the following must be completed and RETURNED to the Division in the envelope provided no later than TUESDAY, SEPTEMBER, 30, 2003:

- ☐ The person designated as your company's operations manager must pass the operations manager examination. DFI has authorized Experior Assessments, LLC to administer the operations manager examination to the person designated as your company's operations manager. This authorization will expire on Wednesday, October 1, 2003. A copy of the examination certificate issued by Experior must be returned with the Settlement Agreement. For testing information contact Experior at 800-741-0934, or on the web at www.exporionline.com.
- ☐ All pages of this Settlement Agreement, including this cover page, must remain attached.
- ☐ The Settlement Agreement must be signed by: the owner if the mortgage broker registrant is a sole proprietor; all partners if the registrant is a partnership; at least one member if a limited liability company; and the president and secretary, as duly authorized by resolution of the board of directors, if the registrant is a corporation. The ORIGINAL, signed Agreement with all pages attached must be returned. Keep a copy for your records.
- ☐ A cashier's check or money order in the amount of \$1,000.00, made payable to DFI Consumer Finance, must be enclosed. NO OTHER METHOD OF PAYMENT WILL BE ACCEPTED. If the envelope does not contain a cashier's check or money order in the amount of \$1,000.00, your package will be returned and the Settlement Agreement will not be accepted.

SETTLEMENT AGREEMENT

03NBSA0048

This Settlement Agreement is entered into by and between:

THE OHIO DEPARTMENT OF COMMERCE
DIVISION OF FINANCIAL INSTITUTIONS

Consumer Finance Section

77 South High Street, 21st Floor
Columbus, OH 43215-6120

Hereinafter referred to as "DFI."

&

801770

MARQUETTE D. EVANS

DBA - AMERICA'S CHOICE HOME LOANS

1600 BRICE ROAD

REYNOLDSBURG, OH 43068

Hereinafter referred to as "Respondent."

DFI is a state agency charged with the responsibility of administering and enforcing the Ohio Mortgage Broker Act ("OMBA"), codified in Chapter 1322 of the Ohio Revised Code ("R.C."). Respondent is a company that held a certificate of registration issued by DFI to engage in business as a mortgage broker pursuant to R.C. Chapter 1322. Respondent's mortgage broker certificate of registration expired on April 30, 2003, Respondent filed an application to renew its certificate and the certificate was renewed. Subsequently it was discovered that Respondent failed to comply with the 2002 CE requirements of the OMBA.

Respondent voluntarily enters into this Settlement Agreement being fully informed of its right to representation by counsel, and its right to reject this Settlement Agreement and to proceed to a formal adjudicative hearing, pursuant to R.C. Chapter 119, on the issues considered herein.

STIPULATIONS AND ADMISSIONS

This Settlement Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. DFI is authorized by R.C. 1322.10(A)(1)(a) to revoke a registrant's mortgage broker certificate of registration if DFI finds that the registrant has violated "or fail[ed] to comply with any provision of sections 1322.01 to 1322.12 of the Revised Code or the rules adopted under those sections or any other law applicable to the business conducted under a certificate of registration[.]"

03 SEP 29 PM 1:50

OFFICE OF FINANCIAL
INSTITUTIONS

with all pages attached, must be received in the offices of DFI on or before Tuesday, September 30, 2003.

6. If Respondent properly files this Agreement and fully complies with every provision, DFI agrees to execute the same and agrees not to initiate revocation proceedings based solely on the violations addressed herein.
7. Should DFI discover that Respondent has provided DFI with false, fraudulent, misleading, or incomplete information pertaining to this Agreement, Respondent agrees that such evidence will firmly establish that Respondent's character and general fitness do not command the confidence of the public and warrant the belief that it will conduct business honestly and fairly in compliance with the purposes of the OMBA. Respondent further agrees that such discovery is grounds for permanent revocation of its mortgage broker certificate of registration.
8. The above-described terms, conditions and limitations may be amended or terminated at any time upon the written agreement of both parties.

FAILURE TO COMPLY

If, in the discretion of DFI, Respondent appears to have violated or breached any term or condition of this Settlement Agreement, DFI reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of any law occurring before, on, or after the effective date of this Settlement Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

Respondent acknowledges that it has been advised by DFI to seek legal counsel if it has any question concerning the terms and/or effect of this Settlement Agreement.

Respondent hereby releases DFI, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This Settlement Agreement shall be considered a public record as that term is used in R.C. 149.43, and may be reported to appropriate organizations, data banks, and governmental bodies, or released to the general public.

This Settlement Agreement in no way binds or limits future actions DFI may take with respect to Respondent or any other person, individual, or company, for the same or similar violations.

EFFECTIVE DATE

It is expressly understood that this Settlement Agreement shall become effective upon the last date of signature below.

The Settlement Agreement must be signed by: the owner if the mortgage broker registrant is a sole proprietor; all partners if the registrant is a partnership; at least one member if a limited liability company; and the president and secretary, as duly authorized by resolution of the board of directors, if the registrant is a corporation. The ORIGINAL, signed Agreement with all pages attached must be returned. Keep a copy for your records.

PRINTED Name of authorized signor #1:

Margaret D. Evans

SIGNATURE of authorized signor #1:

[Signature] 4-19-03
Date

PRINTED Name of authorized signor #2:

SIGNATURE of authorized signor #2:

_____ Date

PRINTED Name of authorized signor #3:

SIGNATURE of authorized signor #3:

_____ Date

PRINTED Name of authorized signor #4:

SIGNATURE of authorized signor #4:

_____ Date

[Signature]
ROBERT M. GRIESER

Deputy Superintendent for Consumer Finance
Ohio Division of Financial Institutions

9/29/03

DATE

[Signature]
AMANDA M. AXTELL

Consumer Finance Legal Counsel
Ohio Division of Financial Institutions

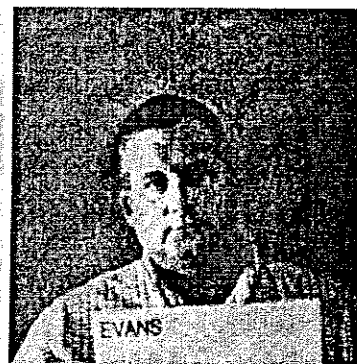
9/29/03

DATE

Examination Score Report

This report certifies that MICHAEL S EVANS, ID No. 820-02-3002, has taken an examination through Experior Assessments, LLC and achieve results detailed below:

MICHAEL S EVANS
7025 PRIOR PLACE
REYNOLDSBURG, OH 43068



Examination: OHMB Operations Manager
Examination Date: 08/26/2003
Date of Birth: 05/21/1965
Score: 93.0%
Grade: Pass

The following table contains an analysis of the candidate's performance in each of the major sections of the examination, as indicated by the percentage of the questions in each section that were answered correctly.

Section		Number of Questions	Number Correct	Percent Correct
1	Mortgage Loan Programs	12	12	100.0
2	Mortgage Loan Processes	24	21	87.5
3	Federal Mortgage Lending Legislation	25	24	96.0
4	Ohio Mortgage Broker Act and Ohio Mortgage Loan Act	23	22	95.7
5	Terminology	16	14	87.5
	Totals for all sections	100	93	93.0

The results of this examination have been reported to the Ohio Division of Financial Institutions.

experior™

\$59.00 was paid for this exam.

Valid only with embossed seal and original signature.
Melissa D. Hughes

The face of this document has a blue background on white paper. The back of this document contains an artificial watermark. Hold at an angle to view.