

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

In the matter of:)	Case No. M2006-9992863
)	
CHRISTOPHER E. WHARTON)	<u>DIVISION ORDER</u>
9255 Misty Dawn Drive)	Approval of Loan Officer License Application
Columbus, OH 43240)	&
)	Notice of Appellate Rights

Respondent, Christopher E. Wharton, submitted a loan officer license application (“Application”) to the Division of Financial Institutions (“Division”) on February 1, 2006. On June 22, 2006, the Division notified Respondent that it intended to deny his Application because: (1) on or around January 23, 2006, Respondent attested in a sworn statement that information he provided about his criminal background in the Application he submitted to the Division was complete and truthful when it was not; (2) on or around February 1, 2006, in an attempt to obtain a loan officer license, Respondent provided untruthful information about his criminal background to the Division; (2) he violated R.C. 1322.07(A) by making a substantial misrepresentation on his Application; (3) he violated R.C. 1322.07(B) by making a false statement of a material fact or by omitting a statement required by state law on the licensing application; (4) he violated R.C. 1322.07(C), which prohibits an applicant from engaging in improper or dishonest conduct; and (5) because his character and general fitness did 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. 1322.01 to 1322.12—the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing which was held on November 8, 2006. A Report and Recommendation (“Report”) was filed with the Division on December 14, 2006, recommending that the Division grant 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. As a result, the Division makes the following findings and conclusions. Any finding and/or conclusion not specifically addressed below is approved, adopted, and incorporated herein. (The Hearing Examiner’s Report is attached). Following its review of the record, the

Division hereby adopts the hearing officer's recommendation. Therefore, the Division approves the loan officer license application of Christopher E. Wharton.

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, pursuant to R.C. 119.12, 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 16th day of February 2007.

RICHARD F. KECK

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