

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

In the matter of:	)	Case No. M2009-1111
	)	
<b>CHRISTOPHER R. TELLIS</b>	)	<b>Notice of Intent to Refuse Loan Officer License Application</b>
23411 Summerfield, Apt. 30-I	)	&
Aliso Viejo, CA 92656	)	<b>Notice of Opportunity for a Hearing</b>
	)	

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**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, and the rules adopted thereunder. In accordance therewith, the Division is accountable for the licensing of individuals as residential mortgage loan officers.

**RESPONDENT**

**CHRISTOPHER R. TELLIS** ("Respondent") has applied to the Division for a loan officer license. His address of record is 23411 Summerfield, Apt. 30-I, Aliso Viejo, California 92656, and his date of birth is December 6, 1980. Respondent's employer of record is Home Loan Center USA, Inc., 163 Technology Drive, Irvine, California 92618. Respondent's license application remains pending.

**NOTICE OF PROPOSED ACTION**

In accordance with R.C. sections 1322.041 and 1322.10, and R.C. Chapter 119, the Division intends to REFUSE to issue Respondent a loan officer license.

**BASIS FOR PROPOSED ACTION**

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.031(B), and has found the following:

- A. The Division is authorized by R.C. 1322.10(A)(1)(a) to refuse to issue a loan officer license if the Division finds that the licensee or applicant has violated or failed "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[.]"
- B. R.C. 1322.041(A)(6) provides that a loan officer license shall be issued if the applicant's character and general fitness 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 sections 1322.01 to 1322.12 of the revised code.
- C. R.C. 1322.041 at the time of Respondent's application required the Division to refuse issuance of a loan officer license to any applicant who had pleaded guilty to or had been convicted of theft.

- D. On or around January 2, 2000, in the County Court for the City and County of Denver, Colorado Respondent plead guilty to and was convicted of shoplifting.
- E. R.C. 1322.07(A) prohibits an applicant from obtaining a “license through any false or fraudulent representation of a material fact or any omission of a material fact required by state law, or make any substantial misrepresentation in any registration or license application.”
- F. On or about October 21, 2009, Respondent submitted an application for a loan officer license pursuant to R.C. Chapter 1322. Respondent’s application remains pending.
- G. Loan officer application Question Number Four (4) asked “Have you been arrested for, convicted of or pleaded guilty to any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities? (Please note that a conviction for theft, as that term is defined in R.C. 2913.01(K), is a statutory bar to licensure.)” Respondent answered “No,” thus making a false or fraudulent representation of a material fact or an omission of a material fact required by state law, or making a substantial misrepresentation in a license application in violation of R.C. 1322.07(A).
- H. Loan officer application Question Number Five (5) asked “Have you ever been convicted of or pleaded guilty to any criminal offense in a state other than the state where you currently reside?” Respondent answered “No,” thus making a false or fraudulent representation of a material fact or an omission of a material fact required by state law, or making a substantial misrepresentation in a license application in violation of R.C. 1322.07(A).

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

- 1. Respondent pleaded guilty to and was convicted of shoplifting or theft under the laws of the state of Colorado and the city and county of Denver, Colorado.
- 2. Because Respondent plead guilty and was convicted of theft, the Division is authorized under R.C. 1322.041 and R.C. 1322.10(A)(1)(a) to refuse to issue a loan officer license.
- 3. Respondent made a false or fraudulent representation of a material fact or an omission of a material fact required by state law, or made a substantial misrepresentation in a license application in violation of R.C. 1322.07(A).
- 4. Because Respondent failed to comply with R.C. 1322.07(A), the Division is authorized to refuse issuance of a loan officer license to Respondent pursuant to R.C. 1322.10(A)(1)(a).
- 5. Because Respondent was convicted of theft and provided false information on his loan officer application, Respondent lacks the character and general fitness to 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 sections 1322.01 to 1322.12 of the revised code.
- 6. Because Respondent lacks the character and fitness required by R.C. 1322.041(A)(6), the Division is authorized to refuse issuance of a loan officer license pursuant to R.C. 1322.041 and 1322.10(A)(1)(a).

**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 refusing to issue Respondent a loan officer license.

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: Lori A. Massey, Consumer Finance Attorney, 77 South High Street, 21<sup>st</sup> 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 refusing to issue Respondent a loan officer license.

Signed and sealed this 26<sup>th</sup> day of March, 2010.

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**LEIGH A. WILLIS**

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