

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

In the matter of: ) Case No. M2009-10  
)  
**EARL C. PAELTZ** ) **Notice of Intent to Deny Loan Officer License**  
7500 Huckleberry Lane ) **Renewal Application**  
Cincinnati, OH 45242 ) &  
) **Notice of Opportunity for a Hearing**

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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 ("OMBA"), 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**

**EARL C. PAELTZ** ("Respondent") has applied to the Division to renew his loan officer license. Respondent's loan officer license expired on April 30, 2008; the renewal application remains pending. His address of record is 7500 Huckleberry Lane, Cincinnati, OH 45242, and his date of birth is November 6, 1977. Respondent's license is currently in Escrow status.

**NOTICE OF PROPOSED ACTION**

In accordance with R.C. sections 1322.041 and 1322.10 and R.C. Chapter 119, the Division intends to DENY Respondent's loan officer license renewal application.

**BASIS FOR PROPOSED ACTION**

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.10(B), and has found the following:

- A. Respondent was the sole member and operations manager of TGAAMC, L.L.C. d/b/a Neighborhood Mortgage Services, which was fined \$1,400 in Division Case No. M2007-653 for violating R.C. 1322.03(A)(3), R.C. 1322.04(D), and OAC 1301:8-7-12(I), which stemmed from not having an operations manager in place; and had its OMBA Certificate of Registration revoked in Division Case No. M2008-288 for violating R.C. 1322.07(C) and 1322.072, which stemmed from its failure to pay the fine imposed in Case No. M2007-653 and for knowingly failing to comply with a Division examination.
- B. The \$1,400 fine imposed against TGAAMC, L.L.C. d/b/a Neighborhood Mortgage Services in Case No. M2007-653 remains unpaid.

- C. As operations manager, Respondent was the individual responsible for TGAAMC, LLC's day-to-day operations, compliance requirements, and management of its mortgage broker business. See R.C. 1322.01(H), R.C. 1322.03(A)(3), and OAC 1301:8-7-02(L).

As a result of the findings listed above, the Division has determined that Respondent's actions, as described above, show Respondent's 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. Accordingly, Respondent does not meet the loan officer license renewal requirement found in R.C. 1322.041(A)(6) and (B)(3).

**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's loan officer license renewal application 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: Anthony D. Siciliano, Consumer Finance General Counsel, 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 denying Respondent's loan officer license renewal application.

Signed and sealed this 9<sup>th</sup> day of January, 2009.

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**LEIGH A. WILLIS**

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