

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

In the matter of:)	Case No. 06-0157-LOD
)	
BRIAN K. MEIER)	Notice of Intent to Deny Loan Officer License Application
8273 Celestial Circle)	&
Middletown, Ohio 45044)	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

BRIAN K. MEIER ("Respondent") has applied to the Division for a loan officer license. His address of record is 8273 Celestial Circle, Middletown, Ohio 45044, and his date of birth is September 30, 1964. Respondent's employer of record is Credit Financial Services, LLC dba Alliance Mortgage Group, 4660 Duke Drive, Suite 200, Mason, Ohio 45040.

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

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

- A. In or around 1983, in the Hamilton County Municipal Court, Hamilton County, Ohio, Respondent was convicted of THEFT-WITHOUT CONSENT, a misdemeanor of the first degree in Case No. 83CRB005857A.
- B. In or around 1983, in the Hamilton County Municipal Court, Hamilton County, Ohio, Respondent was convicted of DRUG ABUSE, a misdemeanor of the third degree in Case No. 83CRB005857B.
- C. In or around 1983, in the Hamilton County Municipal Court, Hamilton County, Ohio, Respondent was convicted of THEFT-BEYOND SCOPE OF CONSENT, a misdemeanor of the first degree in Case No. 83CRB006187.
- D. In or around 1983, in the Hamilton County Municipal Court, Hamilton County, Ohio, Respondent was convicted of RECEIVING STOLEN PROPERTY in Case No. 83CRB004846.
- E. In or around 1986, in the Court of Common Pleas, Hamilton County, Ohio, Respondent was convicted of AGGRAVATED BURGLARY, a felony of the first degree.

- F. In or around 1987, in the Hamilton County Municipal Court, Hamilton County, Ohio, Respondent pleaded guilty to and was convicted of three counts of PASSING BAD CHECKS, a misdemeanor of the first degree.
- G. In or around 1998, in the Hamilton County Municipal Court, Hamilton County, Ohio, Respondent was convicted of DOMESTIC VIOLENCE-KNOWINGLY, a misdemeanor of the fourth degree in Case No. 98CRB004074.
- H. On or around January 10, 2005, Respondent attested in a sworn statement that information he provided about his criminal background on his loan officer license application he submitted to the Division was complete and truthful when it was not.
- I. On or around January 13, 2005, in an attempt to obtain a loan officer license, Respondent provided untruthful information about his criminal background to the Division.

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

- 1. Respondent's action, as listed above in Paragraphs A, C, D, E, and F, show that he has not proven that he is honest, truthful, and of good reputation, and that there is no basis in fact for believing that he will not commit another criminal offense involving theft, receiving stolen property, burglary, passing bad checks or any criminal offense involving money or securities. See R.C. sections 1322.031(A)(2) and 1322.041(A)(3).
- 2. Respondent's actions, as listed above, 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).
- 3. Respondent's actions, as listed in Paragraphs H and I, violated R.C. 1322.07(A), which prohibits a loan officer applicant from "mak[ing] any substantial misrepresentation in any registration or license application[.]"
- 4. Respondent's actions, as listed in Paragraphs H and I, violated R.C. 1322.07(B), which prohibits a loan officer applicant from "[m]ak[ing] false or misleading statements of a material fact, [or] omissions of statement required by state law[.]"
- 5. Respondent's actions, as listed in Paragraphs H and I, violated R.C. 1322.07(C), which prohibits a loan officer applicant from "[e]ngage[ing] in conduct that constitutes improper, fraudulent, or dishonest dealings."

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: Carrie V. Moore, 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 his 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 23rd day of February 2006.

ROBERT M. GRIESER

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