

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

In the matter of:)	Case No. M2007-618
)	
ARTISAN MORTGAGE LLC)	Notice of Intent to Deny Mortgage Broker
dba RED BRICK MORTGAGE)	Certificate of Registration Application
9101 Antares Avenue)	&
Columbus, Ohio 43240)	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.

RESPONDENT

ARTISAN MORTGAGE LLC dba Red Brick Mortgage ("Respondent") is a limited liability company that has applied to the Division for a mortgage broker certificate of registration pursuant to R.C. Chapter 1322. Respondent's principal business address is 9101 Antares Avenue, Columbus, Ohio 43240.

NOTICE OF PROPOSED ACTION

In accordance with R.C. § 1322.10 and R.C. Chapter 119, the Division intends to DENY Respondent's application for an Ohio mortgage broker certificate of registration.

BASIS FOR PROPOSED ACTION

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.03(B) and has found the following:

1. Since February 2007, Respondent has "act[ed] as a mortgage broker without first having obtained a certificate of registration" in violation of R.C. 1322.02(A)(1) – part of the Ohio Mortgage Broker Act.
2. In August 2007, Respondent "[held] itself out" as engaged in the business of making loans secured by a mortgage on a borrower's real estate which was other than a first lien on the real estate in violation of R.C. 1321.52(A)(1)(a) – part of the Ohio Mortgage Loan Act.
3. In August 2007, Respondent "engaged in the business of lending" money and securing that loan by a mortgage on a borrower real estate which is other than a first lien on the real estate in violation of R.C. 1321.52(A)(1)(b) – part of the Ohio Mortgage Loan Act.

4. Due Respondent's violations of R.C. 1322.02(A)(1) and 1321.52(A)(1)(a) and (b), the Division cannot find Respondent'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 Ohio Mortgage Broker Act. See R.C. 1322.04(A)(10).

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 mortgage broker certificate of registration application.

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: Mark L. Rhea, Consumer Finance Licensing Attorney, 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 its position, arguments, or contentions in writing, and, at the hearing, may present evidence and examine witnesses appearing for and against Respondent. Note: At the hearing, limited liability companies must have a representative that is permitted to practice before the Agency, such as an attorney.

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 mortgage broker certificate of registration.

Signed and sealed this 26th day of October 2007.

LEIGH WILLIS

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