

PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2019-AH-00053



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

v.

AGREED ORDER

WESTERN OHIO MORTGAGE CORPORATION;
MARCUS MOSES; MICA JAMES; GINA PARTIN;
and APRIL SNIDER-MAURER

RESPONDENTS

* * * * *

1. DFI is responsible for regulating and licensing mortgage loan companies, mortgage loan brokers, and mortgage loan originators in accordance with the provisions of KRS 286.8.

2. Western Ohio Mortgage Corporation ("WOMC" or "Respondent") is a mortgage company licensee in Kentucky pursuant to KRS Chapter 286.8, with an office located at 733 Fair Road, Sidney, Ohio 45365. Respondent's license number is MC81426 (NMLS#9601).

3. Marcus Moses is a registered Kentucky mortgage loan originator employed by WOMC. Moses' NMLS number is 652979.

4. Mica James is a registered Kentucky mortgage loan originator employed by WOMC. James' NMLS number is 638185.

5. At the time of the incidents in question, April Snider-Maurer was an employee of WOMC and a registered Kentucky mortgage loan originator, with NMLS number 597754.

6. At the time of the incidents in question, Gina Partin was an employee of WOMC and a registered Kentucky mortgage loan originator, with NMLS number 1057814.

7. On August 28, 2019, DFI filed an Administrative Complaint against Respondents alleging violations of KRS 286.8, including failure to disclose a prior administrative action and operating unlicensed mortgage loan branches.

8. Respondents filed a timely Answer to the Administrative Complaint, have denied the allegations set forth therein and have further denied that they acted contrary to KRS 286.8 or to any other applicable legal guideline.

9. In consideration of the mutual promises set forth herein, the DFI and Respondents have agreed to resolve the allegations set forth in the Administrative Complaint without any admission of unlawful conduct or violation of law.

10. DFI agrees to dismiss the individual allegations asserted against Marcus Moses, Mica James, April Snider-Mauer, and Gina Partin, with prejudice. The claims (Counts Four, Five, Six and Seven) asserted against the individual Respondents shall be dismissed with prejudice.

11. DFI also agrees to dismiss, with prejudice, Count One of the Administrative Complaint asserted against WOMC, related to the failure to disclose a prior administrative action.

12. DFI possesses a range of administrative authority in addressing violations of KRS Chapter 286.8, including license revocation or denial, suspension or the imposition of civil penalties. See KRS 286.8-046 and 286.8-090.

13. In this case, DFI assessed a civil penalty against WOMC in the amount of Fifteen Thousand Dollars (\$15,000.00) for violating KRS 286.8.

14. In the interest of economically and efficiently resolving the violations described herein, and without Respondent admitting or denying the statements of fact and legal conclusions herein, DFI and Respondent agree as follows:

a. Respondent WOMC agrees to a civil penalty assessment in the amount of Fifteen Thousand Dollars (\$15,000.00), based solely on its desire to resolve and conclude this matter;

b. Respondent WOMC agrees that it shall pay the aforementioned civil penalty, with payment to be due within five (5) business days upon entry of the Agreed Order. The payment shall be in the form of a certified check or money order made payable to **"Kentucky State Treasurer"** and mailed to the Department of Financial Institutions, Attn: Non-Depository Division – ORDER, 500 Mero Street 2SW19, Frankfort, Kentucky 40601 OR electronically, via invoice, through the NMLS system;

c. Counts One, Four, Five, Six and Seven are hereby dismissed with prejudice.

d. Respondent WOMC shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.8.

15. Respondent WOMC waives its right to demand a hearing at which it would be entitled to legal representation, to confront and cross-examine witnesses, and to present evidence on its own behalf, or to otherwise appeal or set aside this Order.

16. Respondent WOMC consents to and acknowledges the jurisdiction of DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

17. In consideration of execution of this Agreed Order, Respondent WOMC for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, DFI, Office of Legal Services, and each of their members, agents, and employees in their individual capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this settlement or its administration.

18. By signing below, Respondent WOMC acknowledges it has read the foregoing Agreed Order, knows and fully understands its contents, and that the individual signing on behalf of Respondent is authorized to enter into and execute this Agreed Order and legally bind Respondent.

19. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 15th day of September, 2020.



CHARLES A. VICE
COMMISSIONER

Consented to:

This 15th day of September, 2020.

This 25th day of Aug., 2020.

Chad K. Harlan
Chad K. Harlan, Director
Division of Non-Depository Institutions
Department of Financial Institutions

Jason M. Ross
Authorized Representative
Western Ohio Mortgage Corporation
License # MC81426

ACKNOWLEDGEMENT

STATE OF Ohio)
)
COUNTY OF Shelby)

On this the 25th day of August, 2020, before me Kimberly A. Mullen, the undersigned, Jason M. Ross, did personally appear and acknowledge himself/herself to be the authorized representative for Western Ohio Mortgage Corporation and that he/she, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: Jan 4, 2021

Kimberly A. Mullen
Notary Public



KIMBERLY A. MULLEN, Notary Public
In and for the State of Ohio
My Commission Expires Jan. 4, 2021

CERTIFICATE OF SERVICE

1 gm I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the day of September, 2020, by certified mail, return receipt requested, to:

David K. Stein
Bricker and Eckler
Attorneys At Law
100 South Third Street
Columbus, Ohio 43215-4291

Western Ohio Mortgage Corporation
733 Fair Road
Sidney, Ohio 45365

Marcus Moses
Western Ohio Mortgage Corporation
7588 Central Parke Blvd.
Mason, Ohio 45040

Mica James
Western Ohio Mortgage Corporation
7588 Central Parke Blvd.
Mason, Ohio 45040

April Snider-Maurer
400 Riverpointe #4
Dayton, Kentucky 41074

Gina Partin
524 Highland Pike
Floor 2
Covington, Kentucky 41011

Via hand-delivery to:

Gary A. Stephens
Staff Attorney
Department of Financial Institutions
500 Mero Street 2SW19
Frankfort, Kentucky 40601

Kentucky Department of Financial Institutions

Name: Alison Reed

Title: Executive Staff Advisor