

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

In the matter of:	)	Case No. M2007-381
	)	
<b>ROBERT D. MCCOY</b>	)	<b><u>DIVISION ORDER</u></b>
5593 Weffler Road	)	<b>Denial of Loan Officer License Renewal</b>
Bradford, Ohio 45308	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>
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Respondent, Robert D. McCoy ("Respondent"), submitted a loan officer license renewal application ("2007 Renewal") to the Division of Financial Institutions ("Division") on or about April 30, 2007. On July 20, 2007, the Division notified Respondent that it intended to deny his Renewal because: (1) in or around 2003, in the County Court of Darke County, Ohio, Respondent was convicted of Theft, a misdemeanor of the first degree; (2) Respondent violated R.C. 1322.07(A) by substantially misrepresenting his prior criminal record in response to a question on both his initial application for a loan officer license ("2005 Application") and his re-application for a loan officer license the following year ("2006 Application"); (3) Respondent violated R.C. 1322.07(B) by making a false statement of a material fact and by omitting a statement required on the 2005 and 2006 Applications; (4) Respondent violated R.C. 1322.07(C), by engaging in improper or dishonest conduct; (5) pursuant to R.C. 1322.041(B)(3), Respondent has been convicted of a theft offense, and therefore, the Division is not authorized to issue a loan officer license to the Respondent.

Respondent requested an administrative hearing, which was held on October 16, 2007. Respondent appeared without the assistance of counsel. A Report and Recommendation ("Report") was filed with the Division on November 29, 2007, recommending that the Division deny Respondent's 2007 Renewal. No objections were filed.

In accordance with R.C. 119.09, the Division has considered the record, consisting of the Report, the transcript of testimony and exhibits as well as all applicable laws. As a result, the Division makes the following findings and conclusions. Any finding and/or conclusion not specifically addressed below is approved, adopted, and incorporated herein. (The Report is attached hereto.)

The Division modifies the second paragraph of the introduction on page 1 of the Report; paragraph 17 on page 3 of the Report; paragraph 25 on page 4 of the Report; and paragraph 32 on page 6 of the Report.

The Report incorrectly refers to Respondent's 2006 Application as a "renewal application." As Exhibit D demonstrates, on its face, Respondent's 2006 Application was a re-application for a loan officer license not a renewal of an existing license. (*See, also*, Transcript of Proceedings, October 16, 2007, pp. 25-26.) The Division hereby modifies the above-listed paragraphs accordingly.

Upon consideration of the record, the Division hereby adopts the hearing officer's recommendation and denies the loan officer license renewal of Robert D. McCoy.

It is so ordered.

#### **NOTICE OF APPELLATE RIGHTS**

Respondent is hereby notified that pursuant to R.C. 119.12, this Order may be appealed by filing a notice of appeal with the Ohio Division of Financial Institutions setting forth the order appealed from and the grounds for the appeal. A copy of such notice of appeal, pursuant to R.C. 119.12, must also be filed with the court of common pleas of the county in which the place of business of the Respondent is located, or the county in which the Respondent is a resident. A notice of appeal must be filed within fifteen (15) days after the date of mailing of this Order.

Signed and sealed this 24<sup>th</sup> day of December 2007.

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**LEIGH A. WILLIS**

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