

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

In the matter of:)	Case No. M2009-930
)	
JUSTIN W. SMITH)	<u>DIVISION ORDER</u>
1636 Woodcrest Drive)	Denial of Loan Officer License Renewal Application
Wooster, OH 44691)	&
)	Notice of Appellate Rights
)	

Respondent, Justin W. Smith ("Respondent"), submitted an application ("Application") to the Division to renew his loan officer license, which expired on April 30, 2009. On October, 29, 2009, the Division notified Respondent that it intended to deny his Application because: (1) Respondent was required to submit an FBI background check as part of the renewal application; and (2) Because Respondent has not submitted an FBI background check to the Division, the Division cannot find that Respondent's character and general fitness meets the renewal requirement set forth in R.C. 1322.041(A)(6) and (B)(3).

Respondent requested an administrative hearing, which, was held on December 7, 2009. Respondent did not appear. A Report and Recommendation ("Report") was filed with the Division on December 30, 2009, recommending that the Division deny Respondent's Application. 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. (A copy of the Report is attached hereto). Following its review of the record, the Division hereby adopts the hearing officer's recommendation. Therefore, the Division denies the renewal Application of Justin W. Smith.

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 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 21st day of January, 2010.

LEIGH A. WILLIS

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