

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

In the matter of:	)	Case No. M2010-886
	)	
<b>FRANKLIN G. ROBINETTE, JR.</b>	)	<b><u>DIVISION ORDER</u></b>
914 E. Rose Street	)	<b>Refusal of Mortgage Loan Originator License</b>
Springfield, OH 45505	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>
	)	

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WHEREAS, 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 Loan Act, as codified in Ohio Revised Code ("R.C.") Chapter 1321, and finds that this Order is necessary and appropriate, in the interest of the public, and is consistent with the purposes of the Ohio Mortgage Broker Act; and

WHEREAS, on October 29, 2010, the Division issued Franklin G. Robinette, Jr. ("Respondent") a Notice that informed him that the Division had conducted an investigation of Respondent and, as a result thereof, alleged that:

- A. The Division is authorized by R.C. 1321.532(A)(8) to issue a mortgage loan originator license if the Division finds, among other requirements, that "[t]he applicant's financial responsibility, character, and general fitness command the confidence of the public and warrant the belief that the mortgage loan originator will operate honestly and fairly in compliance with the purposes of sections 1321.51 to 1321.60 of the Revised Code."
- B. Respondent held a loan officer license, issued by the Division pursuant to the Ohio Mortgage Broker Act, R.C. Chapter 1322, during the 2003 calendar year.
- C. R.C. 1322.052, as in effect in 2003, required every licensed loan officer to complete at least six (6) hours of approved continuing education ("CE") every calendar year (by December 31<sup>st</sup>).
- D. Respondent failed to complete the required 6 hours of CE credit for the 2003 calendar year as required by R.C. 1322.052.
- E. Because Respondent failed to comply with R.C. 1322.052, the Division finds that Respondent does not meet the requirement for licensure in R.C. 1321.532(A)(8).

WHEREAS, the Notice informed Respondent of the Division's intent to refuse to issue Respondent a mortgage loan originator license and of the opportunity for a hearing regarding the refusal if requested within thirty days from the mailing of the Notice. The Notice further cautioned Respondent that "[i]f the Ohio Division of Financial Institutions d[id] not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of th[e] Notice, the Superintendent w[ould] issue an order refusing to issue Respondent a mortgage loan originator license[;]"

WHEREAS, service of the Notice on Respondent was perfected;

WHEREAS, Respondent failed to request a hearing by the statutory deadline and thereby failed to defend against the Division's allegations;

WHEREAS, the Division finds that the allegations contained in the Notice are true and that the Division should refuse to issue Respondent a mortgage loan originator license;

The Division hereby refuses to issue Respondent, Franklin G. Robinette, Jr., a mortgage loan originator license.

It is so ordered.

**NOTICE OF APPELLATE RIGHTS**

Respondent is hereby notified that pursuant to R.C. 119.12, this Division Order may be appealed by filing a notice of appeal with the Division setting forth the order that Respondent is appealing from and stating that the Division's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The notice of appeal may also include, but is not required to include, the specific grounds for the appeal. The notice of appeal must also be filed with the appropriate court of common pleas in accordance with R.C. 119.12. In filing the notice of appeal with the Division or court, the notice that is filed may be either the original notice or a copy of the original notice. The notice of appeal must be filed within fifteen (15) days after the date of mailing of this Division Order.

Signed and sealed this 3<sup>rd</sup> day of December, 2010.

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**CAROLYN L. BRADFORD**  
Superintendent  
Division of Financial Institutions  
Ohio Department of Commerce