

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

In the matter of:	)	Case No. M2006-9993321
	)	
<b>KEYATTA M. BROWN</b>	)	<b><u>DIVISION ORDER</u></b>
16600 Burnside Avenue	)	<b>Denial of Loan Officer License Application</b>
Cleveland, Ohio 44110	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>
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Respondent, Keyatta M. Brown (“Respondent”), submitted a loan officer license application (“Application”) to the Division of Financial Institutions (“Division”) on November 20, 2006. On January 5, 2007, the Division notified Respondent that it intended to deny her Application because: (1) in or around 1997, in the Cuyahoga County, Ohio, Court of Common Pleas, Respondent was convicted of Attempted Kidnapping, a felony of the third degree; (2) in or around 1998, in the Cuyahoga County, Ohio, Court of Common Pleas, Respondent was convicted of Receiving Stolen Property, a felony of the fifth degree, and Theft, a felony of the fifth degree; (3) pursuant to R.C. 1322.031(A)(2) and 1322.041(A)(3), the Division is statutorily prohibited from issuing a loan officer license to the Respondent because she has been convicted of Theft; and (4) because Respondent’s character and general fitness do not command the confidence of the public and warrant the belief that the business will be operated honestly and fairly in compliance with the purposes of R.C. 1322.01 to 1322.12 – the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing, which was held on March 1, 2007. Respondent appeared without the assistance of counsel. A Report and Recommendation (“Report”) was filed with the Division on June 19, 2007, recommending that the Division deny Respondent's Application. Respondent submitted objections to the Report on July 2, 2007.

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 paragraph D on page 3 of the Report.

In paragraph D, the Report applies the older version of R.C. 1322.041(A)(3) in effect prior to January 1, 2007. That version of the law allowed respondents who had been convicted of a theft offense to show by a preponderance of the evidence that “the applicant’s activities and employment record since the conviction, show that the applicant is honest, truthful, and of good reputation, and there is no basis in fact for believing that the applicant will commit such an offense again.” Id. After January 1, 2007, upon the enactment of Senate Bill 185, theft offenses were and are now excluded from that category. The Division, however, finds that the Hearing Examiner was correct in applying the former version of R.C. 1322.041(A)(3), which was the version in effect on the date of Respondent’s Application submitted to the Division on November 20, 2006.

Upon consideration of the record, the Division hereby accepts the hearing officer’s recommendation and denies the loan officer license application of Keyatta M. Brown.

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 11<sup>th</sup> day of July 2007.

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**RICHARD F. KECK**

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