

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

In the matter of:)	Case No. 04-0452-LOD
)	
DONALD F. PALMER)	<u>DIVISION ORDER</u>
12933 Mogadore Avenue)	Denial of Loan Officer License Application
Uniontown, OH 44685)	&
)	Notice of Appellate Rights
)	

Respondent, Donald F. Palmer (“Respondent”), submitted a loan officer license application to the Division of Financial Institutions (“Division”) on August 16, 2004. On October 19, 2004, the Division notified Respondent that it intended to deny his loan officer license application (“Application”) because: (1) Respondent violated R.C. 1322.07(A) by substantially misrepresenting his prior criminal record in response to a question on the Application; (2) Respondent violated R.C. 1322.07(B) by making a false statement of a material fact and by omitting a statement required on the licensing application; (3) Respondent violated R.C. 1322.07(C), by engaging in improper or dishonest conduct; 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 November 16, 2004. A Report and Recommendation (“Report”) was filed with the Division on March 15, 2005, 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 and Recommendation, 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 Hearing Examiner's Report and Recommendation is attached).

Paragraph 2 on page 1 of the Report and Recommendation states that Respondent's application was filed on August 30, 2004. This is a typographical error, as the Application was received by the Division on August 16, 2004. (*See*, Exhibit 1.) Paragraph 2 on page 1 is modified to reflect the change.

Upon consideration of the record, the Division hereby adopts the hearing officer's recommendation and denies the loan officer license application of Donald F. Palmer.

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 31st day of August 2006.

ROBERT M. GRIESER
Deputy Superintendent for Consumer Finance
Division of Financial Institutions
Ohio Department of Commerce