

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

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| In the matter of: |) | Case No. M2006-9992779 |
| |) | |
| MELANE K. SMITH |) | <u>DIVISION ORDER</u> |
| 6447 Fox Hill Drive |) | Denial of Loan Officer License Application |
| Canal Winchester, OH 43110 |) | & |
| |) | Notice of Appellate Rights |
| |) | |

Respondent, Melane K. Smith ("Respondent"), submitted a loan officer license application ("Application") to the Division of Financial Institutions ("Division") on March 19, 2002. The March 2002 Application was withdrawn by statute for failure to provide the Division with requested information. On December 6, 2005, Respondent reapplied for a loan officer license. On May 10, 2006, the Division notified Respondent that it intended to deny her Application because: (1) In 2002 and 2005, Respondent attested in sworn statements that information she provided on her license applications was truthful, knowing that the information Respondent provided was false; (2) In 2002 and 2005, Respondent provided untruthful information to the State of Ohio, Department of Commerce, Division of Financial Institutions; (3) she violated R.C. 1322.07(A), (B), and (C) by not disclosing her criminal history on her loan officer license application; and (4) because her 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. sections 1322.01 to 1322.12, the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing, which was held on July 20, 2006. Respondent appeared without counsel. A Report and Recommendation ("Report") was filed with the Division on August 17, 2006, 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. (The Hearing Examiner's Report and Recommendation is attached). Following its review of the record, the Division hereby adopts the hearing officer's recommendation and denies the loan officer license application of Melane K. 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 27th day of September 2006.

ROBERT M. GRIESER

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