

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

In the matter of:)	Case No. M2007-586
)	
TRACE E. SMITHERMAN)	ORDER OF LICENSE SUSPENSION
3414 Ashmeadow Lane)	&
Franklin, Ohio 45005)	NOTICE OF HEARING
)	

DIVISION ORDER

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 Broker Act, codified in Ohio Revised Code ("R.C.") Chapter 1322. In accordance therewith, the Division is accountable for the licensing of individuals as residential mortgage loan officers; and

WHEREAS, Trace E. Smitherman ("Respondent") holds a loan officer license number 4170 issued by the Division. Her address of record is 3414 Ashmeadow Lane, Franklin, Ohio 45005, and her date of birth is July 23, 1968. Respondent's employer of record is Select Mortgage Group, Ltd., 6784 Loop Road, Centerville, Ohio 45459; and

WHEREAS, R.C. 1322.10 (F)(2) requires the Division to suspend, without a prior hearing, the license of a licensee who failed to fulfill the continuing education requirements of R.C. 1322.052 until such time as the required continuing education is completed and a fine of five hundred dollars (\$500.00) is paid to the treasurer of state to the credit of the consumer finance fund; pursuant to Ohio Administrative Code section 1301:8-7-08 (C)(4), an individual with a suspended license is not permitted to originate residential mortgage loans; and

WHEREAS, Respondent held a loan officer license during the 2006 calendar year and failed to fulfill the continuing education requirements of R.C. 1322.052 for calendar year 2006; and

Pursuant to R.C. 1322.10 (F)(2), loan officer license number 4170 issued to Respondent is hereby **SUSPENDED**.

It is so ordered.

NOTICE OF HEARING ON SUSPENSION ORDER

Therefore, pursuant to R.C. 1322.10 (F)(4), R.C. Chapter 119 and Section 1301:8-7-27 of the Ohio Administrative Code, Respondent is hereby notified that a hearing shall be held at 8:30 a.m. on November 13, 2007 regarding the continuation or termination of the suspension imposed herein.

On its own motion, and due to a lack of available hearing dates within the thirty-day time period prescribed by section 1301:8-7-27 (A) of the Ohio Administrative Code, said hearing is continued to **Wednesday, January 30, 2008 at 2:30 p.m. in Room 1938 located on the 19th Floor of the Vern Riffe Center for Government and the Arts, 77 South High Street in Columbus.**

At the hearing, Respondent may appear in person, by Respondent's attorney, or by such other representative as is permitted to practice before the Agency, or Respondent may present its position, arguments, or contentions in writing, and, at the hearing, may present evidence and examine witnesses appearing for and against Respondent.

Signed and sealed this 23rd day of October 2007.

LEIGH A. WILLIS

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