

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

In the matter of:)	Case No. M2006-9993163
)	
SETH E. CARTER)	<u>DIVISION ORDER</u>
8750 Winooski Street)	Approval of Loan Officer License Application
Powell, Ohio 43065)	&
)	Notice of Appellate Rights
)	

Respondent, Seth E. Carter ("Respondent"), submitted a loan officer license application to the Division of Financial Institutions ("Division") on October 5, 2006. On November 8, 2006, the Division notified Respondent that it intended to deny his loan officer license application ("Application") because: (1) in or around 1999, in the Franklin County, Ohio, Municipal Court, Respondent was convicted of Unauthorized Use of Property; (2) in or around 2000, in the Franklin County, Ohio, Court of Common Pleas, Respondent was convicted of Attempted Possession of Heroin; (3) in or around 2001, in the Franklin County, Ohio, Municipal Court, Respondent was convicted of Possession of Drug Paraphernalia; (4) Respondent has not proven that he is honest, truthful, and of good reputation, and that there is no basis in fact for believing that Respondent will not commit another criminal offense involving theft, or any criminal offense involving money or securities; and (5) 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 January 17, 2007. Respondent appeared without assistance of counsel. A Report and Recommendation ("Report") was filed with the Division on April 5, 2007, recommending that the Division approve

Respondent's Application. No objections were filed.

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. (The Report is attached hereto.) Following its review of the record, the Division hereby adopts the hearing officer's recommendation and approves the loan officer license application of Seth E. Carter. Respondent should be aware of the recent amendment to the Ohio Mortgage Broker Act, which prohibits the Division from renewing the loan officer license of anyone convicted of a theft offense. *See*, R.C. 1322.041(A)(3), eff. Jan. 1, 2007.

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 7th day of June 2007.

RICHARD F. KECK

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