

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

In the matter of:)	Case No. 06-0040-LOD
)	
DAPHNE A. STOKES)	<u>DIVISION ORDER</u>
16226 Harvard Avenue)	
Cleveland, OH 44128)	TERMINATION of Notice of Intent to Deny
)	Loan Officer License Application
)	

WHEREAS, the Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions ("Division"), on March 15, 2006, issued Daphne A. Stokes ("Respondent") a Notice of the Division's intent to deny Respondent's loan officer license application, and on March 7, 2006 the Notice was returned "Unclaimed"; and

WHEREAS, on March 15, 2006, the Division re-issued Respondent the Notice of the Division's intent to deny the renewal of Respondent's loan officer license, and the Notice was received and signed for by "Daphne Stokes" on March 27, 2006; and

WHEREAS, following timely receipt of Respondent's request for a hearing, the Division has determined that its service of the Notice upon Respondent was not in compliance with R.C. 119.07, as upon the Notice being returned "Unclaimed," the Division was required by R.C. 119.07, as interpreted by *Porter v. State Medical Board*, 2006-Ohio-5296, to make personal delivery of the Notice or have it published; and

The Division finds that the Notice of the Division's intent to deny the renewal of Respondent's loan officer license is statutorily defective;

The Division hereby terminates the March 15, 2006 Notice.

IT IS SO ORDERED.

NOTICE OF RIGHT TO APPEAL

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 22nd day of March 2007.

RICHARD F. KECK
Acting Deputy Superintendent for Consumer Finance
Division of Financial Institutions
Ohio Department of Commerce