

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

In the matter of:)	Case No. 04-0027-LOD
)	
SALVATORE L. BELLANTE)	FINAL ORDER
1511 Biltmore Road)	
Lyndhurst, Ohio 44124)	Denial of Loan Officer License Application
)	

DIVISION ORDER

On October 2, 2002, Salvatore L. Bellante submitted a loan officer license application to the Division of Financial Institutions. On January 22, 2004, the Division issued Bellante notice of the Division's intent to deny his application, and notified Bellante of his right to a hearing on the matter. Bellante requested a hearing, and pursuant thereto, an administrative hearing was held in accordance with Ohio Revised Code Chapter 119 on February 24, 2004.

The hearing officer filed his written report and recommendation, recommending that the Division deny Bellante's license application. A copy of the report and recommendation and a letter explaining Bellante's right to submit written objections within 10 days of receipt of the report was served on Bellante on May 6, 2004.

On June 9, 2004, the Division issued a final order denying the loan officer license application of Salvatore L. Bellante. In making the final determination, the Division did not consider objections to the report and recommendation that were filed May 19, 2004, as the deadline for filing objections was May 17, 2004.

On June 15, 2004, Bellante, through counsel, filed a motion for reconsideration. Bellante argued that his objections should be considered because on May 17, 2004, with the permission of Diane Wagenbrenner, a Division attorney, he faxed a copy of the objections to the Division and placed the original copy in the mail. The Division granted Bellante's motion for reconsideration and reinstated Administrative Case Number 04-0027-LOD on June 18, 2004.

Accordingly, the Division now considers Bellante's objections.¹ Bellante has argued that the hearing officer abused his discretion by discounting written and oral character testimony and by recommending the Division deny Bellante's loan officer license application. Bellante

¹ On May 24, 2004, the Division received a facsimile transmission from Bellante's attorney, Ronald J. Clum. The transmission consisted of a cover page and a two-page letter authored by Attorney Phillip Ciano and dated May 20, 2004. The facsimile transmission appears to be an attempt to submit additional evidence. Because the record was closed at the conclusion of the February 24, 2004 administrative hearing, the May 24, 2004 facsimile transmission has not been considered.

asserts that the record contains “significant evidence *** to establish his good moral character.” In the event the Division denies Bellante’s October 2, 2002 application, Belante has requested that he be permitted to reapply and that the present proceeding not be considered with any future application. The Division finds Bellante’s objections without merit.

Upon consideration of the hearing officer’s report and recommendation, the Division hereby confirms and approves the recommendation. Accordingly, Bellante’s October 2, 2002 application for a loan officer license is hereby denied.

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, 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 July 2004.

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

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