

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

In the matter of:)	Case No. 05-0149-LOD
)	
JAMES P. CURRY)	<u>DIVISION ORDER</u>
1976 Tupsfield Road)	Denial of Loan Officer License Application
Columbus, Ohio 43229)	&
)	Notice of Appellate Rights
)	

Respondent, James P. Curry ("Respondent"), submitted a loan officer license application to the Division of Financial Institutions ("Division") on January 13, 2003. On February 7, 2003, the Division requested information and documentation from the Respondent concerning his prior criminal record. Respondent did not comply, and on August 5, 2003, the Division notified Respondent that it was withdrawing his loan officer license application ("Application") due to his failure to provide the information.

Subsequently, on May 12, 2005, Respondent re-applied for a loan officer license. On August 10, 2005, the Division notified Respondent that it intended to deny his Application because: (1) in or around 1990, in the Franklin County, Ohio, Court of Common Pleas, Respondent was convicted of Attempted Breaking and Entering; (2) Respondent violated R.C. 1322.07(A) by failing to disclose the conviction on the 2003 Application; (3) Respondent violated R.C. 1322.07(B) by making a false statement of a material fact and by omitting a statement required on the 2003 Application; (4) Respondent violated R.C. 1322.07(C), by engaging in improper or dishonest conduct during the course of his 2003 Application; and (5) pursuant to R.C. 1322.031(A)(2) and 1322.041(A)(3), Respondent has not proven that he is honest, truthful, and of good reputation, and there is no basis in fact for believing that he will not commit another criminal offense involving theft or any criminal offense involving money or

securities; and (6) 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 October 11, 2005. Respondent failed to appear. A Report and Recommendation ("Report") was filed with the Division on March 13, 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 James P. Curry.

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 8th day of February 2007.

RICHARD F. KECK

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