

Ted Strickland
Governor

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

Kimberly A. Zurz
Director

In the matter of:) Case No. M2008-581
)
PHILLIP A. HENDERSON, JR.) <u>DIVISION ORDER</u>
88 Chapel Hill)
Fairfield, OH 45014) Denial of Loan Officer License Renewal Application
) &
) Notice of Appellate Rights
)

Respondent, Phillip A. Henderson, Jr. ("Respondent"), submitted a loan officer license renewal application ("Application") to the Division of Financial Institutions ("Division") on or about April 30, 2008. On October 24, 2008, the Division notified Respondent that it intended to deny his Application because: (1) in or around 1994, in the Hamilton County Municipal Court, Respondent pleaded guilty to theft and was found guilty of theft; and (2) because Respondent has been convicted of a theft offense as described in R.C. 1322.031(A)(2), the Division is not authorized to renew Respondent's loan officer license pursuant to R.C. 1322.041(A)(3) and (B)(3).

Respondent requested an administrative hearing, which was held on December 22, 2008. Respondent appeared and was represented by counsel. A Report and Recommendation was filed with the Division on January 30, 2009, recommending that the Division deny Respondent's Application. Respondent filed objections on February 13, 2009.

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 and Respondent's objections. (A copy of the Report and Recommendation is attached hereto). Following its review of the record and objections, the Division hereby adopts the hearing officer's recommendation. Therefore, the Division denies the loan officer license renewal application of Phillip A. Henderson, Jr.

It is so ordered.

NOTICE OF APPELLATE RIGHTS

Respondent is hereby notified that this Order may be appealed, pursuant to R.C. 119.12, 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 26th day of February, 2009.

LEIGH A. WILLIS

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