

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

In the matter of:	)	Case No. 05-0133-LOD
	)	
<b>JASON R. KUHN</b>	)	<b><u>DIVISION ORDER</u></b>
1179 Wedgewood Terrace	)	<b>Denial of Loan Officer License Application</b>
Westerville, OH 43082	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>

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Respondent, Jason R. Kuhn (“Respondent”), submitted a loan officer license application (“Application”) to the Division of Financial Institutions (“Division”) on June 24, 2005. On August 24, 2005 the Division notified Respondent that it intended to deny his Application because: (1) In or around 2002, Respondent was convicted of an offense listed in R.C. 1322.031(A)(2); (2) per R.C. sections 1322.031(A)(2) and 1322.041(A)(3), Respondent has not proven that he is honest, truthful, and of good reputation, and that 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 (3) because his 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. sections 1322.01 to 1322.12 of the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing, which was held on October 11, 2005. A Report and Recommendation (“Report”) was filed with the Division on April 11, 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, the transcript of testimony and exhibits, as well as all applicable laws. As a result, the Division makes the following findings and conclusions. Any finding and/or conclusion not specifically addressed below is approved, adopted, and incorporated herein. (The Report is attached).

The Division disapproves of the last part of paragraph 3 (Section II A) on page 3 of the Report. It must be assumed that said paragraph contains a typographical error in that Respondent actually did appear for the October 11, 2005 hearing. The Division also disapproves of paragraphs 2, 3 and 4 (Section II B) on pages 3 and 4 of the Report.

The cases cited in the Report in Section II B are not applicable to the present case. The appropriate burden of proof is delineated in the Ohio Mortgage Broker Act. (See R.C. 1322.01 to 1322.12).

The Division hereby adopts the recommendation of the hearing officer and denies the Application of Jason R. Kuhn.

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 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 3<sup>rd</sup> day of January 2007.

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**ROBERT M. GRIESER**

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