

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

In the matter of:)	Case No. 04-0404-LOD
)	
ANTHONY T. JONES)	<u>DIVISION ORDER</u>
794 Wayside Road)	Denial of Loan Officer License Application
Euclid, Ohio 44117)	&
)	Notice of Appellate Rights
)	

Respondent, Anthony T. Jones (“Respondent”), submitted a loan officer license application to the Division of Financial Institutions (“Division”) on January 6, 2004. On April 23, 2004, the Division notified Respondent that it intended to deny his loan officer license application (“Application”) because: (1) In or around 1999 he was convicted of disorderly conduct; (2) he violated R.C. 1322.07(A) by failing to disclose his conviction on his loan officer license application; (3) he violated R.C. 1322.07(B) by making a false statement of a material fact or by omitting a statement required by state law on the licensing application; (4) he violated R.C. 1322.07(C), which prohibits an applicant from engaging in improper or dishonest conduct; and (5) 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. sections 1322.01 to 1322.12 – the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing, which was held on July 27, 2004. A Report and Recommendation (“Report”) was filed with the Division on September 20, 2004, 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. 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 Hearing Examiner's Report and Recommendation is attached).

The Division disapproves paragraph 5 on page 4 under B. LICENSE APPLICATION, and paragraph 5 on page 4 under **DISCUSSION**, and paragraph 8 on page 4 of the Report and Recommendation.

The Division has the burden to prove that 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 sections 1322.01-1322.12 of the Revised Code. See 1322.041(A)(5). This burden did not shift to Respondent when he falsely answered question 5 of the loan officer license application.

For the reasons stated above, the Division hereby denies the Loan Officer License Application of Anthony T. Jones.

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 1st day of June 2006.

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