

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

In the matter of:	)	Case No. M2009-901
	)	
<b>EUNICE LUCAS</b>	)	<b><u>DIVISION ORDER</u></b>
1710 Vernon Place	)	<b>Denial of Loan Officer License Renewal Application</b>
Fairfield, OH 45014	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>
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The Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions (the "Division"), is charged with the responsibility of administering and enforcing the Ohio Mortgage Broker Act, codified in Ohio Revised Code ("R.C.") Chapter 1322. In accordance therewith, the Division is accountable for the licensure of mortgage loan officers.

Respondent, Eunice Lucas ("Respondent"), submitted an application ("Application") to the Division to renew her loan officer license, which expired on April 30, 2009. On October 27, 2009, the Division notified Respondent that it intended to deny the renewal of her loan officer license based upon the following allegations:

- A. Pursuant to R.C. 1322.041(B)(3), in order for a loan officer license to be renewed, the Division must find that the applicant's character and general fitness command the confidence of the public and warrant the belief that the business will be operated honestly and fairly and in compliance with the purposes of the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(6).
- B. Respondent was required to submit an FBI background check as part of the renewal application.
- C. In letters dated May 18, 2009 and July 17, 2009, the Division informed Respondent that it had not received a copy of the FBI background check.
- D. As of the date of this Notice, Respondent has not submitted an FBI background check to the Division.
- E. Because Respondent has not submitted an FBI background check to the Division, the Division cannot find that Respondent's character and general fitness meets the renewal requirement set forth in R.C. 1322.041(A)(6) and (B)(3).

As a result of the findings listed above, the superintendent is authorized to deny the renewal application for failure to meet all of the requirements for renewal set forth in R.C. 1322.041(B).

Respondent requested an administrative hearing which was held before a hearing officer on January 4, 2010. Respondent did not appear and was not represented by counsel at the hearing. The hearing officer's Report and Recommendation was filed with the Division on January 13, 2010, recommending that the Division deny the Application. (A copy of the Report and Recommendation is attached). 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. Following its review of the record, the Division hereby adopts the hearing officer's recommendation. Therefore, the Division denies the loan officer license renewal application of Eunice Lucas.

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 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 17<sup>th</sup> day of February, 2010.

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**LEIGH A. WILLIS**

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