

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

In the matter of:	)	Case No. 05-0147-LOD
	)	
<b>TERRANCE A. HARMON, SR.</b>	)	<b><u>DIVISION ORDER</u></b>
2346 Gardendale Drive	)	<b>Denial of Loan Officer License Application</b>
Columbus, Ohio 43219	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>

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Respondent, Terrance A. Harmon, Sr. (“Respondent”), submitted a loan officer license application (“Application”) to the Division of Financial Institutions (“Division”) on March 2, 2005. On August 10, 2005 the Division notified Respondent that it intended to deny his Application because: (1) in or around 1996, in the Court of Common Pleas, Franklin County, Ohio, Respondent pleaded guilty to and was convicted of theft, a felony of the fourth degree; (2) in or around 1997, in the Court of Common Pleas, Franklin County, Ohio, Respondent pleaded guilty to and was convicted of receiving stolen property, a felony of the fourth degree; (3) in or around 1999, in the Franklin County Municipal Court, Franklin County, Ohio, Respondent pleaded guilty to and was convicted of soliciting another to engage in sexual activity for hire, a misdemeanor of the first degree; (4) in or around 2003, in the Court of Common Pleas, Franklin County, Ohio, Respondent pleaded guilty to and was convicted of nonsupport of dependents, a misdemeanor of the first degree; (5) on or around February 23, 2005, Respondent attested in a sworn statement that information he provided about his criminal background in the Application he submitted to the Division was complete and truthful when it was not; (6) on or around March 2, 2005, in an attempt to obtain a loan officer license, Respondent provided untruthful information about his criminal background to the Division; (7) he violated R.C. 1322.07(A) by failing to disclose his conviction in the Application; (8) 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 in the Application; (9) he violated R.C. 1322.07(C), which prohibits an applicant from engaging in improper or dishonest conduct; (10) 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 receiving stolen property or any criminal offense involving money or securities; and (11) because his character and general fitness did 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 24, 2005. A Report and Recommendation (“Report”) was filed with the Division on March 16, 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 Hearing Examiner’s Report is attached).

The Division disapproves paragraph 14 on page 10 of the Report.

R.C. 1322.07(A), (B), and (C) do not require a deliberative act for their violation. In contrast to 1322.07(E) and (F), which contain language of intent by use of the term “knowingly,” R.C. 1322.07(A), (B), and (C) do not employ such language. Accordingly, an applicant that fails to carefully read and answer each question in a loan officer application, swears to its veracity, and then files such application with the Division is in violation of R.C. 1322.07(A), (B), and (C) when such answer is patently untrue.

The Division hereby adopts the recommendation found on page 11 of the Report and denies the loan officer license application of Terrance A. Harmon, Sr.

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 21<sup>st</sup> day of December 2006.

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**ROBERT M. GRIESER**

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