

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

In the matter of:)	Case No. 06-0049-LOD
)	
DANNY LEE ANDERS, JR.)	Notice of Intent to Deny Loan Officer License Application
2857 Copley Road)	&
Copley, Ohio 44321)	Notice of Opportunity for a Hearing
)	

JURISDICTION

The Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions ("Division"), is charged with the responsibility of administering and enforcing the Ohio Mortgage Broker Act, codified in Ohio Revised Code ("R.C.") Chapter 1322 and the rules adopted there under.

RESPONDENT

DANNY LEE ANDERS, JR. ("Respondent") has applied to the Division for a loan officer license. His address of record is 2857 Copley Road, Copley, Ohio 44321, and his date of birth is October 25, 1976. Respondent's employer of record is First Ohio Banc & Lending, 26032 Detroit Road, #1, Westlake, Ohio 44145.

NOTICE OF PROPOSED ACTION

In accordance with sections 1322.041 and 1322.10 of the R.C., and R.C. Chapter 119, the Division intends to DENY Respondent's loan officer license application.

BASIS FOR PROPOSED ACTION

The Division has conducted an investigation of Respondent, pursuant to R.C. 1322.031(B), and has found the following:

- A. On or around April 2002, Respondent attested in a sworn statement that information he provided in a loan officer license application was complete and true, while the information he provided was false.
- B. On or around May 2002, Respondent provided untruthful information to the state of Ohio, Department of Commerce, Division of Financial Institutions in an effort to receive a loan officer license.
- C. On or around June 2003, the Division found that Respondent had 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 because, among other reasons, Respondent did not disclose information to the Division concerning his criminal background when requested to do so in his 2002 loan officer license application. See R.C. sections 1322.031(A)(2) and 1322.041(A)(3).

- D. On or around June 2003, the Division found 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 the Ohio Mortgage Broker Act, because, among other reasons, Respondent did not disclose information to the Division concerning his criminal background when requested to do so in his 2002 loan officer license application. See R.C. 1322.041(A)(5).

As a result of the findings listed above, the Division has determined 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 the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(5).

NOTICE OF OPPORTUNITY FOR A HEARING ON PROPOSED ACTION

Therefore, pursuant to R.C. Chapters 1322 and 119, Respondent is hereby notified that thirty-one (31) days from the date of the mailing of this Notice, the Superintendent intends to issue an order denying Respondent a loan officer license under the Ohio Mortgage Broker Act.

Respondent is further notified, pursuant to R.C. Chapter 119, that Respondent is entitled to a hearing on this matter. If Respondent desires to request a hearing, the request must be made in writing, and must be received in the offices of the Ohio Division of Financial Institutions within thirty (30) days of the time of the mailing of this Notice. Hearing requests should be addressed: Ohio Division of Financial Institutions, Attn: Anthony Siciliano, Consumer Finance Counsel, 77 South High Street, 21st Floor, Columbus, Ohio 43215-6120.

At the hearing, Respondent may appear in person, by Respondent's attorney, or by such other representative as is permitted to practice before the Agency, or Respondent may present its position, arguments, or contentions in writing, and, at the hearing, may present evidence and examine witnesses appearing for and against Respondent.

If the Ohio Division of Financial Institutions does not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of this Notice, the Superintendent will issue an order denying Respondent a loan officer license.

Signed and sealed this 9th day of March 2006.

ROBERT M. GRIESER

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