

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

In the matter of:)	Case No. 05-0145-LOD
)	
JOHN H. KEENAN)	<u>DIVISION ORDER</u>
1589 Cornova)	Denial of Loan Officer License Application
Lakewood, OH 44107)	&
)	Notice of Appellate Rights
)	

Respondent, John H. Keenan (“Respondent”), submitted a loan officer license application (“Application”) to the Division of Financial Institutions (“Division”) on June 16, 2005. On August 10, 2005, the Division notified Respondent that it intended to deny his Application because: (1) On or around 2003 in the Cuyahoga County, Ohio Court of Common Pleas Respondent pleaded guilty to and was convicted of criminal non-support, a felony of the fifth degree, and attempted criminal non-support, a misdemeanor of the first degree; (2) Respondent attested in a sworn statement that information he provided in his Application was complete and truthful when it was not; (3) Respondent provided untruthful information to the State of Ohio, Department of Commerce, Division of Financial Institutions; (4) Respondent violated R.C. 1322.07(A), (B), and (C) by attesting to the accuracy of the Application and not disclosing his criminal history in his Application, which was filed with the Division; (5) 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 money or securities; and (6) 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 October 13, 2005. A Report and Recommendation (“Report”) was filed with the Division on January 19, 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 paragraph 14, on page 6 of the Report.

As stated in paragraphs 9 and 10 on page 5 of the Report, Respondent intentionally did not disclose his criminal history because he was concerned it would jeopardize his Application. This finding of intentional misrepresentation directly contradicts paragraph 14 on page 6 of the Report.

Upon consideration of the record, the Division hereby adopts the hearing officer's recommendation. The loan officer application of John H. Keenan is denied.

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 8th day of January 2007.

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