

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

In the matter of:)	Case No. M2009-741
)	
KARL P. STEFANOFF)	<u>DIVISION ORDER</u>
16464 Georgetown Court)	Denial of Loan Officer License Application
Strongsville, OH 44136)	&
)	Notice of Appellate Rights

WHEREAS, the Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions ("Division"), and charged with the responsibility of administering and enforcing the Ohio Mortgage Broker Act, as codified in Ohio Revised Code ("R.C.") Chapter 1322, finds that this Order is necessary and appropriate, in the interest of the public, and is consistent with the purposes of the Ohio Mortgage Broker Act; and

WHEREAS, Karl P. Stefanoff ("Respondent") applied to the Division for a loan officer license pursuant to R.C. Chapter 1322; and

WHEREAS, on August 18, 2009, the Division issued Respondent a Notice which informed him that the Division had conducted an investigation of Respondent and, as a result thereof, alleged that:

1. In or around 1993 in the Cuyahoga County Court of Common Pleas, Respondent was convicted of Attempt Robbery ORC 2923.02/2911.02 Aggravated Felony 3; and
2. As a result of the finding listed above, the Division has determined that Respondent has been convicted of a theft offense as described in R.C. 1322.031(A)(2), and, therefore, does not meet the requirement for a loan officer license pursuant to R.C. 1322.041(A)(3). See also Ohio Administrative Code section 1301:8-7-01(K).

WHEREAS, the Notice informed Respondent of the Division's intent to deny Respondent's loan officer license application and of the opportunity for a hearing regarding the denial if requested within thirty days from the mailing of the Notice. The Notice further cautioned Respondent that "[i]f the Ohio Division of Financial Institutions d[id] not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of th[e] Notice, the Superintendent w[ould] issue an order denying Respondent a loan officer license[;]"

WHEREAS, the Notice was mailed to Respondent, via certified mail, on August 18, 2009;

WHEREAS, the Notice mailed to Respondent via certified mail on August 18, 2009 was returned to the Division "unclaimed," and the Division mailed the Notice to the Respondent via ordinary mail, pursuant to R.C. 119.07, on September 15, 2009;

WHEREAS, the Notice mailed to Respondent via ordinary mail on September 15, 2009 was not returned to the Division;

WHEREAS, Respondent failed to request a hearing and thereby failed to defend against the Division's allegations;

WHEREAS, the Division finds that the allegations contained in the Notice are true and that Respondent should be denied a license to act as a loan officer;

Respondent Karl P. Stefanoff's loan officer license application is hereby DENIED.

It is so ordered.

NOTICE OF RIGHT TO APPEAL

Respondent is hereby notified that this Order may be appealed, pursuant to R.C. 119.12, 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 26th day of October, 2009.

LEIGH A. WILLIS

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