

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

In the matter of:)	Case No. 04-0260-LOD
)	
DIANE STONE)	Notice of Intent to Deny Loan Officer License Application
18807 Libby Road)	&
Maple Heights, Ohio 44137)	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. In accordance therewith, the Division is accountable for the licensing of individuals as residential mortgage loan officers.

RESPONDENT

DIANE STONE ("Respondent") has applied to the Division for a loan officer license. Her address of record is 18807 Libby Road, Maple Heights, Ohio 44137, and her date of birth is August 19, 1947. Respondent's employer of record is Custom Fit Mortgage., 5311 Northfield Road, Suite 300, Bedford Heights, Ohio 44146.

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

- I. In or around 1972, in Case No. CR-129, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent was convicted of PROSTITUTION, SECOND OFFENSE.
- II. In or around 1972, in Case No. CR-728, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent was convicted of PROSTITUTION, SECOND OFFENSE.
- III. In or around 1982, in the City of Beachwood Mayor's Court of Cuyahoga County, Ohio, Respondent was convicted of SOLICITING.
- IV. In or around 1986, in Case No. CR-205232, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent was convicted of POSSESSION OF CRIMINAL TOOLS, and RECEIVING STOLEN PROPERTY.
- V. In or around 1986, in Case No. CR-202747, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent was convicted of DRUG LAW, LESS THAN BULK AMOUNT, a felony of the fourth degree.
- VI. In or around 1986, in Case No. CR-208714, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent was convicted of DRUG LAW, RECEIVING STOLEN PROPERTY, FORGERY, and UTTERING, all felonies of the fourth degree.

- VII. In or around 1996, in Case No. CR-328578, in the Common Pleas Court of Cuyahoga County, Ohio, Respondent was convicted of DRUG ABUSE, a felony of the third degree, and ATTEMPT RECEIVING STOLEN PROPERTY, a misdemeanor of the first degree.

As a result of the findings listed above, the Division has determined that:

1. 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 any criminal offense involving money or securities. See R.C. sections 1322.031(A)(2) and 1322.041(A)(3).

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: Mark L. Rhea, 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 22nd day of January, 2004.

ROBERT M. GRIESER

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

Certified Mail No. 7002 2030 0002 6800 5948