

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

In the matter of:)	Case No. M2007-550
)	
BRIAN W. GILL)	<u>DIVISION ORDER</u>
1104 Bergenia Drive)	Termination of Loan Officer License Suspension
Reynoldsburg, Ohio 43068)	&
)	Notice of Appellate Rights
)	

Respondent, Brian W. Gill ("Respondent"), held a Loan Officer License ("License") issued by the Division of Financial Institutions ("Division") during calendar year 2006. On October 25, 2007, the Division notified Respondent that it issued an Order of License Suspension ("Order") because: (1) Respondent failed to comply with the 2006 continuing education requirement set forth in Section 1322.052 of the Revised Code ("R.C."); and (2) because Respondent failed to comply with R.C. 1322.052, the Division is required under R.C. 1322.10(F)(2) to suspend Respondent's License.

An administrative hearing was held on January 17, 2008. Respondent failed to appear. A Report and Recommendation ("Report") was filed with the Division on February 14, 2008, finding that the Division has not established jurisdiction per the requirements of R.C. 119.07 in this matter; recommending that the Division make proper service on Respondent; and recommending that Respondent's License remain in effect until the Division complies with R.C. Chapter 119. 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. (The Report is attached). Following its review of the record, the Division determines that because it failed to strictly comply with the notice requirements of R.C. 119.07, the "Order of License Suspension and Notice of Hearing" issued on October 25, 2007 is statutorily invalid. The Division hereby terminates the October 25, 2007 Order of License Suspension and Notice of Hearing.

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 9th day of May 2008.

LEIGH A. WILLIS

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