

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

In the matter of:)	Case No. 06-0063-LOD
)	
MICHAEL G. ROGERS)	<u>DIVISION ORDER</u>
1561 Archwood Lane)	Denial of Loan Officer License Renewal Application
Toledo, Ohio 43614)	&
)	Notice of Appellate Rights
)	

Respondent, Michael G. Rogers ("Respondent"), was issued a loan officer license on May 2, 2002. Subsequently, he filed the requisite loan officer license renewal applications for years 2003 and 2004. The subject of the current action is his 2005 loan officer renewal application ("Application") which he signed on March 29, 2005. On January 11, 2006, the Division notified Respondent that it intended to deny his Application because: (1) Respondent failed to comply with R.C. 1322.052 by not completing at least six hours of continuing education during the 2004 calendar year; and (2) as a result of Respondent's failure to meet the condition for renewal as outlined in R.C. 1322.041(B)(2), the Division, under the authority granted it in R.C. 1322.10(A)(1)(a), refuses to renew Respondent's loan officer license.

Respondent requested an administrative hearing, which was held on April 19 2006. Respondent did not appear. A Report and Recommendation ("Report") was filed with the Division on May 9, 2006, recommending that the Division grant 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 Hearing Examiner's Report is attached).

The Division disapproves paragraphs 9, 10 and 11 on page 3 and paragraphs 12 and 13 on page 5 of the Report.

Respondent did not comply with R.C. 1322.052, as he did not complete six hours of continuing education in the 2004 calendar year. Therefore, his loan officer license can not be renewed under R.C. 1322.041(B)(2). Division counsel testified that Respondent had not

completed the requisite six hours of continuing education for 2004. (Transcript, pg. 10). Furthermore, this testimony was based on personal knowledge of Respondent's file and continuing education history. Additionally, Respondent did not attend the hearing, nor present in writing any proof that he had in fact complied with R.C. 1322.052. Therefore, the Division must deny Respondent's 2005 renewal application.

The Division disapproves the recommendation of the Hearing Officer on page 5 of the Report and denies Michael G. Rogers' loan officer license renewal application.

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 March 2007.

JOHN B. REARDON
Superintendent of Financial Institutions
Division of Financial Institutions
Ohio Department of Commerce