

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

In the matter of:	)	Case No. 04-0215-LOD
	)	
<b>TIMOTHY J. LEWIS</b>	)	<b><u>DIVISION ORDER</u></b>
1102 Windmill Way	)	<b>Denial of Loan Officer License Application</b>
Avon, Ohio 44011	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>
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Respondent, Timothy J. Lewis ("Respondent"), submitted a loan officer license application to the Division of Financial Institutions ("Division") on May 27, 2003. On January 22, 2004, the Division notified Respondent that it intended to deny his loan officer license application ("Application") because: (1) In or around 1998, in the United States District Court, Northern District of Ohio, Respondent was convicted of Conspiracy to Commit an Offense Against the United States, and (2) 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 of the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing, which was held on April 26, 2004. Respondent appeared with counsel. A Report and Recommendation ("Report") was filed with the Division on October 1, 2004, 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 and Recommendation, the transcript of testimony and exhibits, as well as all applicable laws. (The Hearing Examiner's Report and Recommendation is attached). Following its review

of the record, the Division, except as noted below, hereby approves, adopts, and incorporates herein the hearing officer's recommendation.

The Division modifies paragraph 26 on page 5 of the Report and Recommendation to reflect that the Division, not Respondent, had the burden of proof to demonstrate that Respondent's character and general fitness do not command the confidence of the public. In light of the seriousness of Respondent's criminal offense and that the crime occurred fairly recently, the Division finds that 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 Ohio Mortgage Broker Act.

The loan officer license application of Timothy J. Lewis 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, pursuant to R.C. 119.12, 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 1<sup>st</sup> day of June 2006.

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