

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

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|------------------------|---|---|
| In the matter of: |) | Case No. 06-0094-LOD |
| |) | |
| DANIEL M. ROCHE |) | <u>DIVISION ORDER</u> |
| 12921 South Reed Road |) | Denial of Loan Officer License Application |
| Grafton, OH 44044 |) | & |
| |) | Notice of Appellate Rights |
| |) | |

Daniel M. Roche ("Respondent") submitted a loan officer license application to the Division of Financial Institutions ("Division") on August 25, 2005. On January 27, 2006, the Division notified Respondent that it intended to deny his loan officer license application because: (1) in 1997 he was convicted of petty theft and had not proved that he is honest, truthful, and of good reputation, and 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; (2) he violated 1322.07 (A), (B), and (C) by not disclosing his theft conviction on his loan officer license application; and (3) because his character and general fitness do not command the confidence of the public and warrant the belief that his business will be operated honestly and fairly in compliance with the purposes of R.C. 1322.01 to 1322.12 – the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing which was held in accordance with Ohio Revised Code Chapter 119 on July 6, 2006. Respondent did not appear. The hearing officer filed his Report and Recommendation ("Report") with the Division on August 15, 2006, recommending that the Division deny Respondent's loan officer license application. (The Hearing Examiner's Report and Recommendation is attached). A copy of the Report and a letter

explaining Respondent's right to submit written objections to the Report was mailed to Respondent via certified mail. No objections were filed.

Upon consideration of the hearing officer's Report, the Division confirms and adopts the recommendation.

Accordingly, Respondent's loan officer license application 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 14th day of September 2006.

ROBERT M. GRIESER

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