

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

In the matter of:)	Case No. 04-0058-LOR
)	
DAVID M. SPINNER)	DIVISION ORDER
31500-A North Marginal Road)	
Willowick, Ohio 44095)	Revocation of Loan Officer License
)	

WHEREAS, 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, as amended by Ohio Senate Bill 76 and codified in Ohio Revised Code ("R.C.") Chapter 1322, the Division finds that this order is necessary and appropriate, in the interest of the public, and is consistent with the purposes of the Ohio Mortgage Broker Act; and

WHEREAS, the Division issued David M. Spinner ("Respondent") a loan officer license on November 14, 2002;

WHEREAS, Respondent's loan officer license expired on April 30, 2003, Respondent filed an application to renew Respondent's loan officer license and the license was renewed; and

WHEREAS, on April 1, 2004, the Division issued Respondent a Notice that informed him that the Division had conducted an investigation of Respondent and, as a result thereof, alleged that:

1. Respondent failed to comply with the 2002 continuing education requirements by failing to complete 6 hours of continuing education by March 31, 2003; and that
2. Because Respondent failed to comply with R.C. 1322.052, the Division has the authority to revoke Respondent's loan officer license.

WHEREAS, the Notice informed Respondent of the Division's intent to revoke his loan officer license and of the opportunity for a hearing regarding the revocation if requested within thirty days from the mailing of the Notice. The Notice further cautioned Respondent that "[i]f the Ohio Division of Financial Institutions d[id] not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of th[e] Notice, the Superintendent w[ould] issue an order revoking Respondent's loan officer license[;]"

WHEREAS, the Notice was mailed to Respondent, via certified mail, and service was perfected;

WHEREAS, Respondent failed to request a hearing by the statutory deadline and thereby failed to defend against the Division's allegations;

WHEREAS, the Division finds that the allegations contained in the Notice are true and that Respondent's loan officer license application should be revoked;

Respondent, David M. Spinner's loan officer license is hereby REVOKED.

NOTICE OF RIGHT TO APPEAL

Respondent is hereby notified that this order may be appealed, pursuant to R.C. 119.12, 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 29th day of June, 2004.

ROBERT M. GRIESER

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

Certified Mail No. 7002 2030 0002 6802 6042