

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

In the matter of:	)	Case No. 06-0156-LOD
	)	
<b>MICHAEL S. TRAVER</b>	)	<b><u>DIVISION ORDER</u></b>
1167 Reed Circle	)	<b>Denial of Loan Officer License Application</b>
Columbus, OH 43224	)	<b>&amp;</b>
	)	<b>Notice of Appellate Rights</b>

---

Respondent, Michael S. Traver (“Respondent”), submitted a loan officer license application (“Application”) to the Division of Financial Institutions (“Division”) on July 27, 2005. On February 16, 2006 the Division notified Respondent that it intended to deny his Application because: (1) in or around 2002, in the Court of Common Pleas of Franklin County, Ohio, Respondent was convicted of trafficking in marijuana, a felony of the fifth degree; (2) Respondent had not proven that he is honest, truthful, and of good reputation, and that there is no basis in fact for believing that he will not commit another criminal offense involving drug trafficking or any criminal offense involving money or securities; and (3) because his character and general fitness did 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. 1322.01 to 1322.12—the Ohio Mortgage Broker Act.

Respondent requested an administrative hearing, which was held on May 11, 2006. A Report and Recommendation (“Report”) was filed with the Division on October 31, 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 6, 8, 9 and the Recommendation found on pages 5 and 6 of the Report.

Respondent was convicted of felony drug trafficking in 2002. His probation was extended due to being convicted of operating a motor vehicle while intoxicated in 2004. (See Tr. pg. 57)

In total, Respondent's activities do not show that he is honest, truthful, and of good reputation and that there is no basis in fact for believing that he will commit another criminal offense again involving drug trafficking. The only evidence to sustain his burden was his own testimony and an unsworn letter from his previous probation officer. (See Respondent's Ex. C). The mere fact that Respondent can comply with probation is simply not enough proof of his character. Respondent presented neither witnesses nor any evidence besides his own testimony about his activities since his 2002 felony drug trafficking conviction. What is in evidence is his 2004 conviction for OMVI. (See State's Exhibit 3). Respondent simply has not met his burden of proof that he is honest, truthful and of good reputation and that there is no basis in fact for believing that he will commit another criminal offenses involving drug trafficking. Additionally, Respondent does not have the character and general fitness to 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.

For the reasons stated above, the Division hereby denies the loan officer license application of Michael S. Traver.

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, 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 9<sup>th</sup> day February 2007.

---

**RICHARD F. KECK**

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