

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

In the matter of:)	Case No. 04-0344-LOD
)	
Sandie Lytle)	Notice of Intent to Deny 2003 Renewal Application
5629 Raintree Place)	&
Columbus, OH 43229)	Notice of Opportunity for a Hearing
)	

JURISDICTION

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, codified in Ohio Revised Code (“R.C.”) Chapter 1322, and the rules adopted thereunder.

RESPONDENT

The Division issued **Sandie Lytle** (“Respondent”) a loan officer license on or around December 19, 2002. On or around April 11, 2003, Lytle submitted a renewal application for a loan officer license for the period May 1, 2003 – April 30, 2004; that application remains pending. On November 18, 2003, Lytle submitted a new loan officer license application, which has not been processed or considered, as her 2003 renewal application remains pending.

Lytle’s address of record is 5629 Raintree Place, Columbus, Ohio 43229, and her date of birth is January 5, 1950.

NOTICE OF PROPOSED ACTION

In accordance with sections 1322.041 and 1322.10 of the R.C., and R.C. Chapter 119, the Division intends to DENY Respondent’s 2003 renewal application for a loan officer license.

BASIS FOR PROPOSED ACTION

- A. The Division is authorized by R.C. 1322.10(A)(1)(a) to refuse to renew a loan officer license if the Division finds that the licensee has violated “or fail[ed] to comply with any provision of sections 1322.01 to 1322.12 of the Revised Code or the rules adopted under those sections or any other law applicable to the business conducted[.]”
- B. R.C. 1322.052 requires every licensed loan officer to complete at least six (6) hours of approved continuing education (“CE”) every calendar year (by December 31st).
- C. Respondent failed to comply with the 2002 CE requirements.
- D. The Division must refuse to renew a loan officer license if the Division finds that the “applicant’s character and general fitness [does 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 [the Ohio Mortgage Broker Act].”

- E. In an effort to evade disciplinary action for her non-compliance with the 2002 CE requirements, on November 18, 2003, Lytle attempted to obtain a new loan officer license while her 2003 renewal application was pending.
- F. Because Lytle failed to comply with R.C. 1322.052, the Division finds Lytle'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 the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(5) & (B)(3).
- G. Because Lytle attempted to circumvent her legal obligations, as described above in Paragraph E, the Division finds Lytle'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 the Ohio Mortgage Broker Act. See R.C. 1322.041(A)(5) & (B)(3).
- H. Because Respondent failed to comply with R.C. 1322.052 and did not meet the condition outlined in R.C. 1322.041(A)(5) & (B)(3), the Division has the authority to refuse to renew Lytle's loan officer license.

NOTICE OF OPPORTUNITY FOR A HEARING ON PROPOSED ACTION

Therefore, pursuant to R.C. Chapters 1322 and 119, Respondent is hereby notified that thirty-one (31) days from the date of the mailing of this Notice, the Superintendent intends to issue an order denying the application for renewal of Respondent's loan officer license.

Respondent is further notified, pursuant to R.C. Chapter 119, that Respondent is entitled to a hearing on this matter. If Respondent desires to request a hearing, the request must be made in writing, and must be received in the offices of the Ohio Division of Financial Institutions within thirty (30) days of the time of the mailing of this Notice. Hearing requests should be addressed: Ohio Division of Financial Institutions, Attn: Diane Wagenbrenner—Consumer Finance Staff Attorney, 77 South High Street, 21st Floor, Columbus, Ohio 43215-6120.

At the hearing, Respondent may appear in person, by Respondent's attorney, or by such other representative as is permitted to practice before the Agency, or Respondent may present its position, arguments, or contentions in writing, and, at the hearing, may present evidence and examine witnesses appearing for and against Respondent.

If the Ohio Division of Financial Institutions does not receive a written request for a hearing in its offices within thirty (30) days of the time of the mailing of this Notice, the Superintendent will issue an order denying the application for renewal of Respondent's loan officer license.

Signed and sealed this 6th day of April, 2004.

ROBERT M. GRIESER

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