



criminal offense involving money or securities. R.C. 1322.031(A)(2); R.C. 1322.041(A)(3). TO

WIT: 1 MISDEMEANOR THEFT CONVICTION;

4 MISDEMEANOR CONVICTIONS FOR PASSING BAD CHECKS;

4 FELONY THEFT CONVICTIONS; AND

9 FELONY CONVICTIONS FOR PASSING BAD CHECKS:

1. In or around September 1990, in the Hamilton County Municipal Court, Respondent, Kelvin Tyrone Mitchell, Sr., was convicted of PASSING BAD CHECKS, a first degree misdemeanor (90CRB15315);
2. In or around March 1992, in the Hamilton County Municipal Court, Respondent, Kelvin Tyrone Mitchell, Sr., pleaded guilty and was convicted of the reduced charge of THEFT, a first degree misdemeanor (92CRA1889);
3. In or around June 1993, in the Hamilton County Municipal Court, Respondent, Kelvin Tyrone Mitchell, Sr., was convicted of PASSING BAD CHECKS, a first degree misdemeanor (93CRB17348);
4. In or around July 1993, in the Hamilton County Court of Common Pleas, Respondent, Kelvin Tyrone Mitchell, Sr., pleaded guilty and was convicted of (B935086):
  - (a) One count of PASSING BAD CHECKS, a third degree felony;  
and
  - (b) One count of THEFT, a felony of the third degree;
5. In or around July 1993, in the Hamilton County Court of Common Pleas, Respondent, Kelvin Tyrone Mitchell, Sr., pleaded guilty and was convicted of (B934122):
  - (a) One count of ATTEMPTED PASSING BAD CHECKS, a fourth degree felony;
  - (b) One count of GRAND THEFT, a felony of the third degree;  
and
  - (c) SIX counts of PASSING BAD CHECKS, all third degree felonies;
6. In or around August 1993, in the Hamilton County Court of Common Pleas, Respondent, Kelvin Tyrone Mitchell, Sr., pleaded guilty and was convicted of (B934253):
  - (a) One count of PASSING BAD CHECKS, a felony of the third degree; and
  - (b) One count of THEFT, a third degree felony; and

7. In or around March 1994, in the Hamilton County Municipal Court, Respondent, Kelvin Tyrone Mitchell, Sr., was convicted of PASSING BAD CHECKS, a first degree misdemeanor (93CRB32812);

Given Respondent's criminal convictions, the Division believes that:

1. Respondent has not proven that he is honest, truthful, and of good reputation, and that there is no basis in fact to believe that he will not commit such an offense again. R.C. 1322.041(A)(3);
2. 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 the Ohio Mortgage Broker Act. R.C. 1322.041(A)(5); and that
3. The public would be best served and that the purpose of the Ohio Mortgage Broker Act would be realized if Respondent, Kelvin Tyrone Mitchell, Sr., is denied a license to act as a loan officer in the state of Ohio.

#### **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 Respondent a loan officer license under the Ohio Mortgage Broker Act.

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:

State of Ohio  
Department of Commerce  
Division of Financial Institutions  
Attn: Attorney Amanda Axtell  
77 South High Street, 21<sup>st</sup> 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

ROBERT M. GRIESER  
Deputy Superintendent for Consumer Finance