

NOTICE OF PUBLIC HEARING**Ohio Department of Commerce
Division of Financial Institutions
Consumer Finance – Pawnbrokers**

Pursuant to Section 119.03 of the Ohio Revised Code, notice is given that the Division of Financial Institutions intends to conduct a public hearing on Tuesday, May 3, 2005 at 10 a.m. in the 21st Floor Library of the Vern Riffe Center for Government and the Arts located at 77 South High Street, Columbus, Ohio 43215-6120, regarding the Division's intent to rescind all existing rules and adopt new Ohio Administrative rules as summarized below:

1301:8-5-01, Liquid assets. To define the statutory reference for "liquid assets." The rule establishes liquid assets as current assets to be realized during the business year.

1301:8-5-02, Advertising. To establish parameters for advertising by pawnbrokers. The rule defines "advertisements" and prohibits non-licensees from advertising under "pawnbroker" categories; requires pawnbrokers to maintain a file of ads.

1301:8-5-03, Notifications to the superintendent. To establish the methodology for statutorily required notifications to the Superintendent. The rule requires notifications to the Superintendent to be in writing; permits notifications to be delivered via mail, in person, or by fax.

1301:8-5-04, Obstruction of inspection; verification; recordkeeping. To establish parameters for inspection, verification of redeemers, and recording of paw fee data. The rule prohibits obstruction of examinations; explains that verification of redeemer names is to be based on picture identification; requires distinct recording of the different pawn fees.

1301:8-5-05, Unlicensed pawnbrokers. To clarify the status of loans made by unlicensed pawnbrokers. The rule prohibits non-licensees from receiving or retaining interest, charges, or personal property in violation of the pawnbroker act.

1301:8-5-06, Purchase/repurchase transactions. To clarify the status of purchase/repurchase transactions. The rule specifies that purchase/repurchase transactions are subject to the same provisions and restrictions as pawn transactions.

1301:8-5-07, Purchases; list of property held for sale. To establish parameters for the purchase of personal property by pawnbrokers. The rule prohibits pawnbrokers from circumventing the recordkeeping requirements with respect to purchases; requires pawnbrokers to document the acquisition of all property held for sale on the licensed premises and make such documentation available for inspection by the Superintendent and local law enforcement authorities.

1301:8-5-08, Payments on a pawn loan. To establish parameters for handling payments on a pawn loan. The rule clarifies the calculation of dates upon which interest, the storage fee, and forfeitures are to be based; explains the application of payments; prohibits refinancing, licensee redemptions, pro-rata payments, and pawn date revisions.

1301:8-5-09, Continuing education. To establish parameters of the Pawnbroker Act continuing education requirements. The rule outlines the criteria by which continuing education courses and providers will be approved; clarifies the factors by which designated attendees are determined.

Copies of the proposed rules may be obtained by calling Iris Eubank at (614) 644-7529 at the Division of Financial Institutions or by accessing the Register of Ohio web site located at www.registerofohio.state.oh.us.