



**Disqualifying Offenses for Application for a Finder Certificate of Registration**

**December 17, 2021**

Any person wishing to receive a fee, compensation, commission, or other remuneration for engaging in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed funds or contents of a safe deposit box on behalf of another person is required to first obtain a certificate of registration from the Director of Commerce in conformity with R.C. 169.16. Pursuant to [HB 263](#) , an applicant to the Division of Unclaimed Funds (the Division) for a finder certificate of registration that has pleaded guilty to, been convicted of, or been found guilty of any of the following crimes **may be disqualified** from being registered with the Division and authorized to assist a reported owner/claimant in the identification and recovery of unclaimed funds.

The crimes listed below also include (i) a violation of any existing, former, or future ordinance, law, judicial order, or other legal obligation imposed by any municipal, state, federal, or administrative jurisdiction, that is substantially equivalent to any section, division, or offense listed below, and (ii) a conspiracy to attempt or commit, or complicity in committing any section, division, or offense listed below.

The following crimes are considered by the Division to be directly related to the duties and responsibilities of a finder registrant:

Offense	Citation
Aggravated murder	R.C. 2903.01
Murder	R.C. 2903.02
Voluntary manslaughter	R.C. 2903.03
Involuntary manslaughter	R.C. 2903.04
Reckless homicide	R.C. 2903.041
Aggravated vehicular homicide	R.C. 2903.06
Felonious assault	R.C. 2903.11
Aggravated assault	R.C. 2903.12
Assault	R.C. 2903.13
Aggravated menacing	R.C. 2903.21
Menacing by stalking	R.C. 2903.211
Menacing	R.C. 2903.22
Kidnapping	R.C. 2905.01
Abduction	R.C. 2905.02
Extortion	R.C. 2905.11

Rape	R.C. 2907.02
Sexual battery	R.C. 2907.03
Gross sexual imposition	R.C. 2907.05
Sexual battery	R.C. 2907.03
Aggravated robbery	R.C. 2911.01
Robbery	R.C. 2911.02
Aggravated burglary	R.C. 2911.11
Burglary	R.C. 2911.12
Breaking and entering	R.C. 2911.13
Theft	R.C. 2913.02
Counterfeiting	R.C. 2913.30
Forgery	R.C. 2913.31
Medicaid fraud	R.C. 2913.40
Medicaid eligibility fraud	R.C. 2913.401
Tampering with records	R.C. 2913.42
Securing writings by deception	R.C. 2913.43
Insurance fraud	R.C. 2913.47
Workers' compensation fraud	R.C. 2913.48
Identity fraud	R.C. 2913.51
Receiving stolen property	R.C. 2913.51
Domestic Violence	R.C. 2919.25
Bribery	R.C. 2921.02
Perjury	R.C. 2921.11
Tampering with evidence	R.C. 2921.12
Aggravated trafficking in drugs	R.C. 2925.03
Trafficking in drugs	R.C. 2925.03
Engaging in pattern of corrupt activity	R.C. 2923.32
An offense under an existing or former municipal ordinance or law of this or any other state, or of the United States, involving <b>robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit, or fraud.</b>	
A violation of an existing or former municipal ordinance or law of this or any other state or of the United States substantially equivalent to any offense listed above	

### **Review of Applicant's Offense History by the Division**

**The Division reviews the facts of each applicant's case on an individualized basis. The offense may or may not result in a proposed action to deny registration. The factors considered may include, but are not limited to, the following:**

- The nature and seriousness of the offense;
- Passage of time since the crime was committed and whether the sentencing requirements ordered by the court were successfully completed;
- Whether any other offenses were committed since the crime;
- Relationship of the crime to the ability, capacity, and fitness required to perform the duties and responsibilities of the occupation;
- Any evidence of mitigating rehabilitation or treatment successfully completed, including whether a certificate of qualification for employment under ORC § 2953.25, or of achievement or employability under ORC § 2961.22, has been obtained. The department of rehabilitation and correction maintains a certificate of qualification website found at <https://drc.ohio.gov/cqe>; and
- Whether denial of the license is reasonably necessary or appropriate in the public interest for the protection of investors.

The Division does not have the authority to investigate an individual who has not applied for registration. If an applicant has a criminal history, the Division conducts a thorough investigation and considers the above factors and others, including the facts and circumstances involved in the offense, and the total number and pattern of offenses.

Persons who have a conviction, judicial finding of guilt, or plea of guilty may submit a request to determine whether a particular conviction(s) may disqualify an individual from obtaining a license, certificate, or registration. The following is a link to the Pre-Determination Request Form: [https://www.com.ohio.gov/documents/admn\\_PreDetermForm.pdf](https://www.com.ohio.gov/documents/admn_PreDetermForm.pdf). Alternatively, an applicant may apply for a license/registration, provide truthful responses on the application and provide accompanying documentation for any criminal offense(s).