



## Pre-Determination Request Form

**Introduction.** Prior to applying to the Ohio Department of Commerce (“Department”) for a certificate, license, permit, or registration (“License”), you may ask the Department to pre-determine whether the fact that you have been convicted of a criminal offense, by itself, disqualifies you from receiving a particular License. This form is meant to assist with that process.

Please note that, in some cases, the Department is not allowed to license you if you have been convicted of a certain criminal offense, regardless of the facts and circumstances of your conviction and/or your subsequent good behavior. For a list of automatically disqualifying criminal offenses, please visit [https://www.com.ohio.gov/documents/admn\\_DisqualOffenses.pdf](https://www.com.ohio.gov/documents/admn_DisqualOffenses.pdf). Additionally, you should also note that any pre-determination that you receive from the Department does not guarantee that you will receive a License. Your licensure application or a subsequent Department investigation, for example, may reveal grounds to deny your application exclusive from or in addition to the criminal convictions for which you seek pre-determination, including providing misinformation on this form.

**This form is not an application or part of an application for a License.**

**Instructions.** Please complete this form and mail or deliver it and the \$5.00 pre-determination request fee to the Department at the address below. Payment of the fee must be by check or money order, unless delivered in person, in which case cash is accepted. (Please make out all checks and/or money orders to “Treasurer State of Ohio.”) No determination request is considered received until the Department receives payment of the \$5.00 fee. If you have questions about this form or the fee, please call (614) 466-3636. If you seek a pre-determination for more than one conviction, please include each conviction on this form. If you do not have enough space in the spaces provided below, please attached additional sheets to this form.

Please mail or deliver all forms and pre-determination request fees to the Department at:

Ohio Department of Commerce  
ATTN: Office of Legal Counsel  
Pre-Determination Request Matters  
77 South High Street, 23rd Floor  
Columbus, Ohio 43215

**Requestor Information**

Your Full Legal Name: \_\_\_\_\_

Any Name(s) under which You Were Convicted: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

Preferred Means of Determination Notification (check one):  by e-mail  by regular mail

Type of License for which You Seek a Pre-Determination: \_\_\_\_\_

What are the criminal offenses that you have been convicted of? Provide the applicable statutes if able. \_\_\_\_\_

Date(s) of Conviction(s): \_\_\_\_\_

Date(s) of Underlying Offense(s): \_\_\_\_\_

Location(s) of Underlying Offense(s): \_\_\_\_\_

Court(s) of Conviction (Name, City/County, State): \_\_\_\_\_

Case Number(s) of Conviction(s): \_\_\_\_\_



## Convictions that Prohibit Licensure by the Ohio Department of Commerce

The Ohio Department of Commerce (“Department”) regulates dozens of certifications, licenses, permits, registrations, and other issuances that authorize applicants to engage in particular professions, occupations, and occupational activities (“Licenses”). What follows is a list of criminal offenses the conviction of which automatically prohibits applicants from receiving a License from the Department. If you have questions about this list, please contact the Department at 614-466-3636.

Licensing Authority	License Type	Disqualifying Offenses
Board of Building Standards (“BBS”)	Building Official*	<p>No criminal convictions automatically disqualify an applicant from consideration for a License. However, prior to awarding or denying a license, BBS considers all felonies and crimes of moral turpitude.</p> <p><b>*denotes a License type that may also be interim, trainee, or both</b></p>
	Residential Building Official*	
	Master Plans Examiner*	
	Building Plans Examiner*	
	Electrical Plans Examiner*	
	Plumbing Plans Examiner*	
	Mechanical Plans Examiner*	
	Fire Protection Plans Examiner*	
	Building Inspector*	
	Residential Building Inspector*	
	Fire Protection Inspector*	
	Mechanical Inspector*	
	Residential Mechanical Inspector*	
	Electrical Safety Inspector*	
	Industrialized Unit Inspector*	
	Residential Industrialized Unit Inspector*	
	Plumbing Inspector*	
	Medical Gas Piping Inspector	
Automatic Sprinkler System Designer		
Fire Alarm System Designer		
Special Hazard System Designer		



Division of Unclaimed Funds (“UNCF”)	Finder Registration	UNCF will deny an application for a Finder Registration if (1) an applicant has, within the ten-year period immediately preceding the submission of the application, violated division (A) of R.C. 169.16 or violated division (C) of R.C. 169.13; (2) been convicted of or plead guilty to any felony or any offense involving moral turpitude, including theft, attempted theft, falsification, tampering with records, securing writings by deception, fraud, forgery, and perjury; or (3) the Superintendent of UNCF determines that the character and general fitness of the applicant does not command the confidence of the public and does not warrant the belief that the applicant’s business will be conducted honestly and fairly.
Ohio Construction Industry Licensing Board (“OCILB”)	Electrical Contractor License	Criminal convictions that automatically disqualify an applicant from licensure are any convictions of R.C. 2903.01, 2903.02, 2921.43, 2950.01, and disqualifying offenses per 4776.10(C) (including crimes with a direct nexus to the proposed field of licensure). Disqualifications also occur for felony convictions of R.C. 1315.55(A), 2901.01 (first- or second-degree only), 2901.21, 2913.31, 2913.34, 2913.51, 2921.02, 2921.41, 2921.42, and 2923.32. Additionally, an applicant is disqualified if convicted of felony fraud under R.C. 2913.40, 2913.42, 2913.45, 2913.47, 2913.48, and 2943.49, and/or a first- or second-degree felony offense of R.C. 2923.01, 2923.02, and 2923.03 for the crimes of murder or aggravated murder, sexually-oriented offenses, any crimes of violence, and complicity in committing a murder or aggravated murder.  If an applicant is convicted of any crime under a former law of Ohio, an existing or former law applicable in military court or an Indian tribal court, or any existing or former law of any nation other than the United States that is substantially equivalent to a crime of moral turpitude per R.C. 4776.10, then he or she is also disqualified.  OCILB may only consider a misdemeanor when determining disqualification if (a) the misdemeanor is not a crime of moral turpitude or a disqualifying offense under R.C. 4776.10, (b) the applicant was convicted of or pleaded guilty to the misdemeanor less than one year prior to applying for licensure, and (c), prior to September 28, 2012, OCILB was required to or authorized to deny a license application based on the misdemeanor.  Similarly, OCILB will only consider a felony other than those listed above when determining disqualification if (a) the applicant was convicted of or pleaded guilty to the felony less than three years prior to applying for licensure and, prior to September 28, 2012, (b) OCILB was required to or authorized to deny a license application based on the felony.
	Plumbing Contractor License	
	Hydronics Contractor License	
	HVAC Contractor License	
Refrigeration Contractor License		



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<p>Division of Liquor Control ("DLC")</p>	<p>Solicitor Registration</p>	<p>A conviction for a violation of R.C. 2913.46(C)(1) is an automatic disqualification. Additionally, DLC has the discretion to refuse to issue a Solicitor Registration if DLC finds that the applicant has been convicted of a crime that relates to the applicant's fitness to solicit Ohio liquor permit holders or the DLC.</p>
<p>Division of Industrial Compliance ("DIC")</p>	<p>Steam Engineer Operator License</p>	<p>None.</p>
	<p>High Pressure Boiler Operator License</p>	
	<p>Low Pressure Boiler Operator License</p>	
	<p>Backflow Tester Certification</p>	
	<p>Backflow Lawn Irrigation Certificate</p>	
	<p>Boiler Contractor Registration (Ohio Admin. Code 4101:4-7-01)</p>	
	<p>Manufactured Home ("MH") Installer License</p>	<p>While no criminal convictions automatically disqualify an applicant from licensure, DIC does consider the following criminal convictions when determining whether disqualification should ultimately occur:</p> <ol style="list-style-type: none"> <li>Any convictions of R.C. 2903.01, 2903.02, 2921.43, 2950.01, and disqualifying offenses per 4776.10(C) (including crimes with a direct nexus to the proposed field of licensure). Disqualifications may also occur for felony convictions of R.C. 1315.55(A), 2901.01 (first- or second-degree only), 2901.21, 2913.31, 2913.34, 2913.51, 2921.02, 2921.41, 2921.42, and 2923.32.</li> <li>Any convictions of felony fraud under R.C. 2913.40, 2913.42, 2913.45, 2913.47, 2913.48, and 2943.49, and/or a first- or second-degree felony convictions of R.C. 2923.01, 2923.02, and 2923.03 for the crimes of murder or aggravated murder, sexually-oriented offenses, violence, and complicity in committing a murder or aggravated murder.</li> </ol>
	<p>MH Installation Inspector Certification</p>	
	<p>Elevator Inspector Certificate of Competency</p>	<p>While no criminal convictions automatically disqualify an applicant from consideration for a Certificate, DIC does consider all felony convictions prior to awarding or denying a certificate.</p>



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Historical Boiler Licensing Board (“HBLB”)	Historical Boiler Operator License	None.
Medical Marijuana Control Program	Cultivator, Processor, or Laboratory Employee Identification Card (Ohio Admin. Code 3796:5-2-01)	An applicant is disqualified if he or she has been convicted of any “disqualifying offense” under Ohio Admin. Code 3796:1-1-01(A)(15).
Division of Real Estate & Professional Licensing (“REPL”)	Real Estate Brokers	The conviction of any felony or crime of moral turpitude disqualifies an applicant unless the Superintendent of REPL disregards the conviction.
	Real Estate Salespersons	
	Foreign Real Estate Dealer	
	Foreign Real Estate Salesperson	
	Manufactured Housing Dealer	Disqualifications occur for any fraudulent act in related to selling or otherwise dealing in manufactured homes or in connection with brokering manufactured housing.
	Manufactured Housing Broker	Any fraudulent act in connection with selling or otherwise dealing in manufactured homes.
	Manufactured Housing Salesperson	
	General Real Estate Appraiser Certificate	Unless disregarded by the Board or Superintendent of REPL, any conviction of any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities, including a conviction any crime that is substantially equivalent to an existing or former law of Ohio, any other state, or the United States.
	Residential Real Estate Appraiser Certificate/License	
	Real Estate Appraiser Assistant	
Home Inspectors (R.C. Chapter 4764.14)	Unless disregarded by the Superintendent of REPL, disqualifications occur for any crime of moral turpitude, a felony, or equivalent offense, or where an applicant is/was required to register under R.C. Chapter 2950.	
Division of the State Fire Marshal (“SFM”)	Fireworks Exhibitor	Disqualifications occur for all felonies under the laws of Ohio, any other State, and/or the United States after June 30, 1997.
	Fireworks Exhibitor Assistant	
	Fireworks Wholesaler	
	Fireworks Manufacturer	
	Fireworks Out-of-State Shipper	
	Explosives Magazine Storage	
	Explosives Manufacturer	
	Underground Storage Tank Inspector	Disqualifications occur for any felony under the laws of Ohio.



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Division of Securities ("SEC")	Securities Dealer License	No criminal offense conviction automatically disqualifies an applicant from consideration when SEC evaluates an application for a License. However, prior to awarding or denying a License, SEC considers whether the applicant is of "good business repute." See Ohio Admin. Code 1301:6-3-19(D) for additional information.
	Securities Salesperson License	
	Investment Adviser License	
	Investment Adviser Representative License	
	State Retirement System Investment Adviser License	
	Bureau of Workers Compensation Chief Investment Officer License	
	Residential Mortgage Lending Act Temporary Originator License	
Division of Financial Institutions ("DFI")	Small Loan Act License	No criminal offenses automatically disqualify an applicant for licensure, however, DFI considers all convictions when determining whether to disqualify an applicant due to character and fitness licensure requirements.
	Precious Metals Dealer Act License	
	Consumer Installment Loan Act License	
	Premium Finance Company License	
	Credit Services Organization Act License	
	Pawnbroker Act License	
	General Loan Law License	
	Short Term Loan Act License	Disqualifications occur for any conviction involving theft and, unless disregarded by the Superintendent of DFI, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities or any conviction of a substantially equivalent, existing or former law of Ohio, any other state, or the United States.
	Check Cashing License	Any felony.
	Residential Mortgage Lending Act Mortgage Loan Originator License	In the seven years prior to applying, an applicant must not have been convicted of any misdemeanor involving theft, or any felony. Additionally, at no time prior to applying may an applicant have been convicted of a felony involving an act of fraud, dishonesty, a breach of trust, theft, or money laundering. (DFI will not consider an offense that has been pardoned or expunged.)
Residential Mortgage Lending Act Temporary Originator License		