



Ohio Administrative Code

Rule 1301:6-3-471 Ohio investor recovery fund.

Effective: August 1, 2022

(A) Reviewing applications for restitution assistance awards

(1) The claimant needs to produce a copy of a valid identification showing Ohio residency of the claimant or the victim on the date the pecuniary loss was incurred and the following to demonstrate that the claimant and loss are properly identified:

(a) The court order: or

(b) The administrative order.

(2) If the claimant is a surviving spouse or a dependent child of the deceased victim, the claimant needs to produce a death certificate for the victim and proof of marriage or parental relationship with the deceased victim.

(3) The application may be filed in the office of the division in person, through the division's Internet website, or by first class or certified mail.

(4) The division will review all applications to ensure that the applications are complete.

(a) Only claims filed using the application for restitution assistance form published by the division will be accepted.

(b) If an application is not signed and complete, the application will be returned to the claimant with a brief statement of the additional necessary information.

(c) The decision by the division as to the completeness of the application is final.

(5) The division will receive all complete applications filed in compliance with this chapter.



(6) Upon receipt of a complete application, the division will promptly begin processing the application.

(7) If additional information or documentation from the claimant is necessary to determine eligibility, the division will provide a written statement to the claimant requesting the additional information, either via e-mail at the address listed in the application, or via U.S. regular mail.

(8) The claimant has to supply the requested information and documentation to the division within sixty days from date the request is sent.

(B) Approvals, denials and extensions

(1) The division will deny the application if:

(a) The claimant does not furnish a timely, complete application or provide additional information within sixty days from the delivery of the request;

(b) The claimant knowingly files an application for restitution assistance or documents supporting the application that contain false, incomplete, or misleading information;

(c) The claimant committed, attempted to commit, participated in or assisted in the violations set forth in the final order;

(d) The claimant profited or would have profited from the securities violation; or

(e) Additional time is not granted by the division for good cause.

(2) If multiple claims are filed for the same victim, restitution will only be awarded based on the first timely, complete application received by the division. The division may review multiple claims filed by the same applicant based on inadvertent omissions or newly discovered evidence if all claims are timely filed.



(3) The division may grant an extension to a claimant who files an application more than one hundred eighty days after the date of the final administrative or court order but prior to two years from the date of the final administrative or court order if one of the following applies:

(a) The claimant was suffering from a physical or mental condition that interfered with the ability to timely file an application;

(b) The final administrative or court order was the subject of an appeal; or

(c) Other good cause shown to the division.

(4) Claims will only be eligible from administrative or court orders issued after September 30, 2021.