

FOR COURT USE ONLY
S.C. 10
FILE #

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

COURT OF COMMON PLEAS
ENTERED
HON. MEGAN E. SHANAHAN
THE CLERK SHALL SERVE NOTICE
TO PARTIES PURSUANT TO CIVIL
RULE 58 WHICH SHALL BE TAXED
AS COSTS HEREIN.

MICKO ELLISON,
Appellant,



Case No. A1701008

ENTERED
AUG 30 2017

v.

OHIO DEPARTMENT OF JOB AND
FAMILY SERVICES,

Judge Megan Shanahan
Magistrate Michael L. Bachman

Appellee.

ENTRY ADOPTING
MAGISTRATE'S DECISION

Pursuant to Civil Rule 53, the Court hereby adopts the Magistrate's Decision rendered on July 11, 2017. The objection period has expired with no objections having been filed and no extensions having been granted. The Magistrate's Decision is AFFIRMED.

The Adjudication Order issued by Appellee revoking Appellant's type B home provider license is AFFIRMED.




MEGAN SHANAHAN
JUDGE
COURT OF COMMON PLEAS

Submitted by:

Theresa R. Hanna, Counsel for Appellee

MAGISTRATE

AUG 28 2017

HAS SEEN

ENTERED

AUG 30 2017

52

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO



MICKO ELLISON,

Appellant,

v.

OHIO DEPARTMENT OF JOB AND
FAMILY SERVICES,

Appellee.

Case No. A1701008

Judge Megan Shanahan
Magistrate Michael L. Bachman

MAGISTRATE'S DECISION

RENDERED THIS 16th DAY OF July, 2017.

This matter is before the Court on an appeal filed by Micko Ellison from an Adjudication Order of the Ohio Department of Job and Family Services ("ODJFS"). ODJFS' Adjudication Order revoked the type B home provider license of Ms. Ellison for various violations of the Ohio Administrative Code. The Adjudication Order specifically found that Ms. Ellison had violated former Ohio Administrative Code 5101:2-14-04(A)(8), 5101:2-14-06(A)(7), and 5101:2-14-15(B)(1), and that those violations warranted revocation of her license. Ms. Ellison filed her brief on May 3, 2017. ODJFS filed its brief on June 16, 2017.

The Court reviewed the record as certified by the agency, as well as the briefs of both parties. The Court finds that the decision to revoke Ms. Ellison' license was supported by reliable, probative, and substantial evidence and is in accordance with law. ODJFS' finding that Ms. Ellison failed to have updated medical statements of children on file in violation of former Ohio Adm.Code 5101:2-14-15(B) is supported by the evidence. Ms. Ellison did not have up-to-date forms on file for the children in her care over the course of two visits to her home, despite being aware of their impending, and later current, expiration. ODJFS' finding that conditions in the home endangered children in care and that Ms. Ellison failed to provide a safe, healthy

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environment for children in care, in violation of former Ohio Administrative Code 5101:2-14-04(A)(8), 5101:2-14-06(A)(7), is also supported by the evidence. Hamilton County Job and Family Services discovered marijuana in Ms. Ellison's home, on the floor where Ms. Ellison had slept the night before. The marijuana was determined to belong to an individual with several drug-related convictions who had stayed at Ms. Ellison's home the night before and who was permitted on the premises regularly. This discovery was made on the same morning that children arrived for care at the home. ODJFS' decision to revoke her type B license is hereby AFFIRMED.

IT IS SO ORDERED.



**MICHAEL L. BACHMAN,
MAGISTRATE
COURT OF COMMON PLEAS**

Submitted by: Theresa R. Hanna
Counsel for ODJFS

NOTICE

Objections to the Magistrate's Decision must be filed within fourteen days of the filing date of the Magistrate's Decision. A party shall not assign as error on appeal the court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ. R. 53(D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Civ. R. 53(D)(3)(b).

Copies sent by Clerk of Courts to:

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing decision have been sent out by ordinary mail to all parties or their attorneys as provided above.

Date:

2/11/17

Deputy Clerk:

