

**STATE OF OREGON**  
**DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**  
**INSURANCE DIVISION**

In the Matter of **Cheryl L. Tilley.**

) **STIPULATION** and  
) **FINAL ORDER**  
) Case No. INS 00-01-019  
) File No. 2143

**STIPULATION**

The Director of the Department of Consumer and Business Services (Director) commences the above entitled administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256(1), to take action against Cheryl L. Tilley (Tilley) for violating, not complying with or otherwise being subject to, certain provisions of the Oregon Insurance Code or related administrative rules.

Tilley enters into this stipulation to conclude this proceeding without further administrative or judicial proceedings pursuant to ORS 183.415(5).

Tilley waives the right to receive a notice of proposed action, notice of rights and notice of judicial review, to have a hearing and to be represented by an attorney at the hearing, and to judicial review of the final order.

Tilley admits and agrees to the following:

**Facts**

**Licensing**

Tilley has been licensed in Oregon as a resident individual insurance agent from February 25, 1994 to February 28, 1995, from May 18, 1995 to February 28, 1997 and from January 20, 1999 to February 28, 1999. Tilley's license terminated because it expired. Tilley's license number was 605274. Tilley resides at 22815 SE Green Acres Road, Sandy, OR 97055.

**Embezzlement**

From April 21, 1997 to August 10, 1999, Tilley was employed by Monterey Insurance, Inc. in Portland, Oregon as a customer service representative and bookkeeper. During this time and in her capacity as a bookkeeper, Tilley, without the authority or knowledge of Monterey, wrote at least 27 checks drawn on

Monterey's operating or trust checking accounts from April 8, 1998 to July 8, 1999 to pay for her personal expenses totaling \$18,348.32, and used Monterey's credit card on three occasions from January 15, 1999 to February 25, 1999 to pay for her personal expenses totaling \$734.95, for a total of \$19,083.27. On August 11, 1999, Monterey received \$20,000 on behalf of Tilley as full restitution for the money Tilley embezzled.

**Ultimate Facts**

Tilley engaged in dishonesty, fraud or misrepresentation not related to the business of an agent, adjuster or insurance consultant. See ORS 744.013(2)(o).

**Conclusions**

Tilley violated ORS 744.013(2)(o).

**Action**

The insurance agent license issued to Tilley shall be revoked on the date of this order pursuant to ORS 744.013(1)(a).

Tilley agrees not to apply to the Director for any license as an insurance agent, consultant or adjuster to be issued to either herself or to any business organization owned or operated by her. Tilley also agrees not to own any equity interest in, or be an officer, director or employee of, any business organization licensed as an insurance agent, consultant or adjuster in Oregon.

Dated March 21, 2000.

/s/ Cheryl L. Tilley  
Cheryl L. Tilley

## **FINAL ORDER**

The Director adopts, and incorporates herein by this reference, the Facts, Ultimate Facts, Conclusions and Action in the above Stipulation as the Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order, respectively, of this Final Order.

Dated March 27, 2000.

/s/ Mary C. Neidig  
Mary C. Neidig  
Acting Director  
Department of Consumer and Business Services

## **CERTIFICATE OF SERVICE**

I certify that on March 28, 2000 I served the above Stipulation and Final Order by mailing a copy thereof in a sealed envelope, with first class postage prepaid, to the party named therein.

/s/ Mitchel D. Curzon  
Mitchel D. Curzon  
Administrative Law Specialist  
Insurance Division