

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Donald R. Tierney** .) **FINAL ORDER**
) Case No. INS 00-05-025
) File No. 2356 IV

The Director of the Department of Consumer and Business Services (Director) issues this final order in the above entitled administrative matter pursuant to Oregon Revised Statutes (ORS) 731.256 and in accordance with ORS 731.248, 183.415(6) and 183.470.

On April 12, 2000, the Director received from Donald R. Tierney (Tierney) an application dated April 10, 2000 for an Oregon insurance agent license.

On June 19, 2000, the Director issued and mailed to Tierney a Notice of Proposed Action (Notice) pursuant to ORS 183.415. The Notice informed Tierney that the Director proposed to refuse to issue the license applied for and that Tierney could request a hearing. The Director did not receive a request for a hearing.

Therefore, the Director makes the following final decision.

Findings of Fact

Tierney was licensed in Oregon as a resident individual insurance agent from June 3, 1982 to June 30, 1992 and from August 31, 1992 to June 30, 1998. Tierney's license number was 111053.

On September 24, 1998, the Director issued a Final Order, Case No. INS 98-03-014, revoking the Oregon insurance license issued to Tierney for violating ORS 744.013(2)(d).

On April 12, 2000, the Director received from Tierney an application dated April 10, 2000 for another Oregon insurance agent license.

Ultimate Finding of Fact

The Director previously revoked an Oregon insurance agent license issued to Tierney.

Conclusion of Law

The Director may refuse to issue an Oregon insurance agent license to an applicant who has had an insurance agent license previously revoked by any state pursuant to ORS 744.013(2)(L) .

Order

An insurance agent license shall not be issued to Donald R. Tierney pursuant to ORS 744.013(1)(L) .

Notice of Judicial Review

Tierney may request the Oregon Court of Appeals to review this order by filing a written petition for judicial review with the Court within 60 calendar days following the date this order is personally delivered or mailed to Tierney , or if applicable, to Tierney 's attorney of record , pursuant to ORS 183.480 and 183.482 .

Dated September 7, 2000 .

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