

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

In the Matter of **Colleen Ann Crane.**

) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 00-09-015
) File No. 2337 IV

STIPULATION

The Director of the Department of Consumer and Business Services (Director) commenced the above entitled administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256(1), to take action against Colleen Ann Crane (Crane) for violating certain provisions of the Oregon Insurance Code.

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

Crane 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.

Crane admits and agrees to the following facts, conclusions and action.

Facts

Licensing

Crane has been licensed in Oregon as a resident individual agent, since July 19, 1996. Crane's license no. is 609894. Crane resides in Albany, Oregon.

Misappropriation

From April 5, 1999 to February 7, 2000, Crane, as a customer service representative for Barker-Uerlings Insurance, Inc. (BUI) of Corvallis, Oregon, wrote 36 checks drawn on BUI's "money order [insurance premium trust] account" to pay for her personal expenses totaling about \$25,506.41. Crane was not authorized to issue any checks. Crane issued the checks by either forging the signature of one of five other employees of the agency or causing the other employee to sign a check based on false information about the purpose of the check. In most cases, Crane deposited the checks into her personal savings account, number 248830-00, or checking account, number 248830-90, or personal loan accounts all at OSU Federal Credit Union. In the other few cases, Crane forwarded the check to the respective payee to be applied to an account for her benefit. Crane has repaid \$5,857.16 of the money taken.

Failure to Respond to Director's Inquiry

On May 1, 2000, Crane declined to answer any questions about the above checks during a telephone conversation with Gary Holliday, an Investigator with the Insurance Division and in a letter dated May 1, 2000 which was received by the Insurance Division on May 3, 2000.

Ultimate Facts

Crane misappropriated to her own use money that she received from an another agent relative to the transaction of insurance in 36 instances.

Crane did not respond promptly to an inquiry from the Director in one instance.

Conclusions

Crane violated ORS 744.013(2)(d) and 731.296.

Action

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

In consideration of the Director not assessing Crane a civil penalty of \$4,500 pursuant to ORS 731.988, Crane 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. Crane 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 October 29, 2000

/s/ Colleen Ann Crane
Colleen Ann Crane

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 November 3, 2000.

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

CERTIFICATE OF SERVICE

I certify that on November 3, 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