

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

In the Matter of **Ryan K. Crutcher**.

) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 00-12-004
) File No. 2315 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, to take disciplinary action against Ryan K. Crutcher (Crutcher) for violating the Oregon Insurance Code.

Crutcher enters into this stipulation, pursuant to ORS 183.415(5) and Oregon Administrative Rules (OAR) 137-003-0510(3)-(4), to conclude this proceeding without further administrative or judicial proceedings.

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

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

Facts

Licensing

Crutcher has been licensed in Oregon as a resident individual agent from 4/20/94 to 4/30/97, from 6/23/97 to 4/30/99 and since 10/14/99. Crutcher's license number is 605608. Crutcher resides in Sandy, Oregon and works for D. Brown Agencies, Inc. dba Don Brown & Associates in Gresham, Oregon.

Failing to Deposit Insurance Premium in Trust Account

On or about 9/21/98, Crutcher, an agent of D. Brown Agencies, Inc. dba Don Brown & Associates, received from Kurt L. Geist (Geist), then of Welches, Oregon, a money order, number 0105683688, dated 9/17/98, as payment of the premium for property insurance on a cabin owned by Geist. Crutcher did not deposit the money

order into Don Brown & Associates' insurance premium trust account. On or about 9/3/99, Don Brown & Associates returned the uncashed money order to Geist.

Ultimate Facts and Conclusions

Crutcher violated ORS 744.225 by failing to deposit insurance premiums into an insurance premium trust account.

Action

Crutcher shall pay to the Director a civil penalty of \$1,000 pursuant to ORS 731.988 on or before the date of the Final Order. Payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due.

Dated January 19, 2001.

/s/ Ryan K. Crutcher
Ryan K. Crutcher

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 February 6, 2001.

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

CERTIFICATE OF SERVICE

I certify that 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 on the date below.

Dated February 6, 2001.

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