

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

In the Matter of **Deborah L. Frazier.**

) **FINAL ORDER**

) Case No. INS 02-04-027

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take disciplinary action against Deborah L. Frazier (Frazier).

On 5/13/02, the director issued a Notice of Proposed Action, pursuant to ORS 183.415 and related rules, informing Frazier that the director proposed to revoke Frazier's Oregon insurance agent license pursuant to ORS 744.013(1)(a) (1999). The notice also informed Frazier that she had a right to a hearing and to be represented by an attorney at the hearing. The notice further informed Frazier that if the director did not timely receive a request for a hearing, then the designated portion of the Insurance Division's investigation file on Frazier would automatically become part of the contested case record for the purpose of proving a prima facie case, and the director would issue a final order taking the proposed action.

The director did not receive from or on behalf of Frazier any request for a hearing, but determined that the record of the proceeding proved a prima facie case, and therefore did not hold any hearing.

Therefore, the director makes the following final decision in this proceeding in accordance with ORS 731.248 and 183.470, and related rules.

Findings of Fact and Conclusions of Law

Licensing

Frazier was licensed in Oregon as a nonresident insurance agent from 6/27/97 to 6/30/02. On 6/30/02, Frazier's license expired because she did not renew it. Frazier's current license number is 139304. Frazier's last recorded residence

address is 601 Linden Avenue, Toledo, OH 43606-0789. However, Frazier's actual residence address may be 601 W. Linden Avenue, Gibsonburg, OH 43431-1210. Frazier's last recorded business address is Martineau Miller Belig Agencies, 2224 Centennial Road, Toledo, OH 43617-1870.

Director May Take Disciplinary Action Even Though License Expired

Pursuant to ORS 744.011, the director may proceed to take disciplinary action against a person even though the person's Oregon insurance license expired after the director began investigating the person.

Disciplinary Action Taken by Other States

Frazier is subject to disciplinary action pursuant to ORS 744.013(2)(L) (1999) in the following two instances.

1. On 9/19/01, Ohio issued an order, unnumbered, revoking Frazier's resident insurance agent license in that state on 9/19/01. Ohio took the action because it alleged that, from 2/94 to 10/99, Frazier issued insurance policies and certificates of insurance to Parker Steel International (Parker) purportedly on behalf of Cincinnati Insurance Companies, Inc. (CIC), and collected from Parker a total of \$52,420 as payment of the premium for the insurance, but failed to actually procure the insurance from CIC or return the premiums to Parker. Although Frazier did not admit or deny the allegations, she consented to the action.

2. On 1/25/02, Kentucky issued an order, file number 2002LGJ00036, revoking Frazier's nonresident insurance agent license in that state on 1/25/02, unless Frazier requested a hearing by 3/26/02. Frazier did not request a hearing so the order became final on 3/26/02. Kentucky took the action because of Ohio's disciplinary action against Frazier described above.

Order

Pursuant to ORS 744.013(1) (1999), the Oregon license as an insurance agent issued to Frazier shall be revoked on the date of this order.

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Notice of Judicial Review

Pursuant to ORS 183.480 and 183.482, Frazier 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 after the date this order was sent to Frazier.

Dated July 9, 2002

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