

payment of the premium and mailed the check to Holland located Oregon City, Oregon. On or about 7/18/01, Holland received the check. However, Holland did not deposit the check into HIA's insurance premium trust account until 8/9/00, 22 days after Holland received the check.

Failure to Keep Records of Insurance Premium Transactions

Holland violated OAR 836-074-0045 by engaging in the above conduct but failing to keep a record of when Holland received the check.

Failure to Promptly Respond to Inquiry from the Director

Holland violated ORS 731.296 by engaging in the following conduct. On 8/17/01, the Insurance Division mailed by certified mail a letter to Holland. The letter requested Holland to provide certain information to the Insurance Division by 8/31/01. On 10/10/01, 40 days late, the Insurance Division received by mail from Holland a letter dated 9/4/01 providing the requested information.

Action

Pursuant to ORS 731.988, Holland shall pay a civil penalty of \$1,500. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered or mailed to the Insurance Division at 350 Winter Street NE, Room 440, Salem, OR 97301-3883. The payment shall be received by the Insurance Division by 5:00 PM on December 20, 2002.

Dated September 18, 2002

/s/ Kathy Holland
Kathy Holland

FINAL ORDER

The director adopts and incorporates herein by this reference the above Stipulation as the director's final decision in this proceeding.

Dated September 30, 2002

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