

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

In the Matter of **James M. Hahaj**.

) **FINAL ORDER**
) Case No. INS 02-10-022

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 enforcement action against James M. Hahaj (Hahaj).

On January 15, 2003, the director issued a Notice of Proposed Action, pursuant to ORS 183.415 and related rules. The notice informed Hahaj that the director proposed to take certain enforcement action against Hahaj, that Hahaj was entitled to a hearing, and that Hahaj had to request a hearing in writing within 21 days if Hahaj wanted a hearing. The notice also informed Hahaj that the record of the proceeding then to date, including the designated portion of the Insurance Division's file on Hahaj, would automatically become part of the contested case record for purposes of proving a prima facie case if Hahaj did not request a hearing within the time allowed to make the request.

The director did not receive a request for a hearing.

The director reviewed the designated portion of the Insurance Division's investigation file on Hahaj and found that it proves a prima facie case.

Therefore, director now 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

Hahaj has been licensed in Oregon as a nonresident insurance agent since 7/30/01. Hahaj's current license number is 169553. Hahaj's last recorded residence address was in Post Falls, Idaho.

Convicted of a Crime

Hahaj was subject to disciplinary action pursuant to ORS 744.074(1)(f) because of the following circumstances. On or about 2/22/02, Hahaj was convicted by the District Court of the First Judicial District of the State of Idaho for the County of Kootenai, in the criminal case entitled *State of Idaho v. Jim Hahaj*, case number CRF 01-16371, of one count of the crime of aggravated assault with a deadly weapons enhancement, a felony, pursuant to Idaho Code §§ 18-901, 18-905(a) and/or (b).

Not Licensed in Resident State

Hahaj is subject to disciplinary action pursuant to ORS 744.063(1)(a) because of the following circumstances. Hahaj is a resident of Idaho. On 5/2/02, the Director of the Department of Insurance of the State of Idaho issued an order, docket number 2113, revoking Hahaj's Idaho resident insurance producer license. The director took the action because Hahaj was convicted of the above crime.

Enforcement Action Taken by Other State(s)

Hahaj is subject to disciplinary action pursuant to ORS 744.074(1)(i) because of the following circumstances. On 5/29/02, the Insurance Commissioner of the State of Washington issued an order, number D 02-76, revoking Hahaj's Washington nonresident insurance agent license. The Insurance Commissioner took the action because (1) the Director of the Department of Insurance of the State of Idaho issued an order revoking Hahaj's Idaho resident insurance producer license, as described above; and (2) Hahaj violated RCW 48.17.475 by failing to respond to an inquiry related to the business of insurance from the Insurance Commissioner.

Order

Pursuant to ORS 744.074(1), the Oregon license as an insurance agent issued to Hahaj shall be revoked on the date of this order.

Notice of Judicial Review

Pursuant to ORS 183.480 and 183.482, Hahaj 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 Hahaj.

Dated May 6, 2003

/s/ Cory Streisinger
Cory Streisinger
Director
Department of Consumer and Business Services

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