

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

In the Matter of **Cassie Ann Stringer.**

) **FINAL ORDER**

) Case No. INS 02-12-020

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 Cassie Ann Stringer (Stringer).

On January 16, 2003, the director issued a Notice of Proposed Action, pursuant to ORS 183.415 and related rules. The notice informed Stringer that the director proposed to take certain enforcement action against Stringer, that Stringer was entitled to a hearing, and that Stringer had to request a hearing in writing within 21 days if Stringer wanted a hearing. The notice also informed Stringer that the record of the proceeding then to date, including the designated portion of the Insurance Division's file on Stringer, would automatically become part of the contested case record for purposes of proving a prima facie case if Stringer 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 Stringer 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

Stringer has been licensed in Oregon as a nonresident insurance agent since 8/6/01. Stringer's current license number is 169812. Stringer's last recorded residence address is in Pocatello, Idaho.

Convicted of a Crime

Stringer is subject to disciplinary action pursuant to ORS 744.013(2)(e) (1999) because of the following circumstances. On 6/17/94, Stringer was convicted, based on a plea of guilty, by the District Court for Bannock County, Idaho, in the criminal case, number C942088, of one count of the crime of issuing a check with insufficient funds, a misdemeanor, pursuant to Idaho Code §18-3106(c). Such crime, if committed in Oregon, would be either the crime of theft by deception, a misdemeanor, pursuant to ORS 164.055 and 164.085; or the crime of negotiating a bad check, also a misdemeanor, pursuant to ORS 164.055. Each such crime is a misdemeanor involving moral turpitude because it requires intent and involves dishonesty as well as harm to a specific person. See *In re Chase*, 299 Or 391, 402, 702 P2d 1082 (1985)(a crime involving moral turpitude requires the elements of intent; fraud, deceit or dishonesty; and harm to a specific person); *In re Carstens*, 297 Or 155, 163 (1984)(theft is a misdemeanor involving moral turpitude).

Made False Statement on License Application

Stringer violated ORS 744.013(2)(b) (1999) by engaging in the following conduct. On 7/31/01, the Insurance Division received from Stringer an application dated 7/18/01 for an Oregon nonresident insurance agent license. On the application, Stringer answered “No” to question 15 which asked “Are you currently under indictment for, or have you been convicted of, any misdemeanor or felony?” Stringer’s answer was false and she knew that it was false because Stringer was convicted of the crime described above.

Enforcement Action Taken by Other State(s)

Stringer is subject to disciplinary action pursuant to ORS 744.013(2)(L) (1999) because of the following circumstances. On 12/13/01, the Insurance Commissioner of the State of Washington issued an order, number D 01-121, revoking Stringer’s Washington nonresident insurance agent license effective on 1/2/02 if Stringer did not request a hearing within 90 days which would have been by 3/13/02. Stringer did not request a hearing. The Insurance Commissioner took the action because (1) Stringer made a false statement on her Washington nonresident insurance agent

license application dated 7/18/01, and (2) Stringer failed to respond to three letters sent by the Insurance Commissioner to Stringer.

Order

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

Notice of Judicial Review

Pursuant to ORS 183.480 and 183.482, Stringer 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 Stringer.

Dated May 6, 2003

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

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