

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

In the Matter of **C. Dell Williams.**) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 03-01-003

STIPULATION

The Director of the Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against C. Dell Williams Jr. (Williams).

Williams enters into this Stipulation, pursuant to ORS 183.415(5), to conclude this proceeding without further administrative or judicial proceedings.

Williams waives the right to receive a Notice of Proposed Action, to receive a notice of the rights of a party and procedures in contested cases, to have a hearing, to be represented by an attorney at the hearing, and to judicial review of the Final Order.

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

Facts and Conclusions

Licensing

Williams was licensed in Oregon as a nonresident insurance agent from 12/28/99 to 12/31/02. On 12/31/02, Williams' license expired because Williams did not renew it. Williams' license number was 155519. Williams' last known residence address is in Chicago, Illinois.

Violations

1. Williams violated ORS 744.013(2)(b) (1999) in one instance by engaging in the following conduct. In or about 12/99, the Insurance Division received from Williams an application dated 5/19/99 for an Oregon nonresident insurance agent license. On the application, Williams answered "No" to question 17 which asked "Have you ever been indicted for, or convicted of, any crime." Williams' answer was false because from 1961 to 1995 Williams had been convicted of at least four crimes

involving possession and use of illegal drugs, attempted theft of a video tape recorder, or theft of cash from a merchant's cash register.. However, Williams did not read the question before he answered it. Nevertheless, Williams signed a statement on the application swearing that he knew the contents of the application, and that each of the statements made was true and complete to the best of his knowledge and belief. This representation was also false and Williams knew that it was false because Williams did not read the questions on the application and therefore did not know what he was answering and whether such answers were true.

2. Williams is subject to enforcement action pursuant to ORS 744.013(2)(L) (1999) and 744.074(1)(i) in two instances because of the following circumstances.

a. On 10/19/00, the Insurance Commissioner of the State of Washington issued an order, number D 2000-95, revoking Williams' Washington nonresident insurance agent license effective on 11/8/00 if Williams did not request a hearing within 90 days which would have been by 1/17/01. Williams did not request a hearing. The Insurance Commissioner took the action because (1) Williams failed to respond to three letters sent by the Insurance Commission to Williams, and (2) Williams made a false statement on his Washington nonresident insurance agent license application.

b. On 9/3/02, the Insurance Commissioner of the State of California issued an order, number LBB 0673-AP (AR), revoking Williams' California nonresident insurance agent license effective on 10/3/02. The Insurance Commissioner took the action because Williams failed to disclose on his California insurance agent license renewal application that the Insurance Commissioner of the State of Washington had revoked Williams' Washington nonresident insurance agent license on 10/19/00, and the Insurance Commissioner of the State of Illinois had assessed Williams a civil penalty of \$1,000 on 9/27/01.

3. Williams violated ORS 744.089(1) in one instance by engaging in the following conduct. On 9/3/02, the Insurance Commissioner of the State of California issued an order, number LBB 0673-AP (AR), revoking Williams' California

nonresident insurance agent license effective on 10/3/02. Williams was required by ORS 744.089(1) to notify the Insurance Division of the action, and provide a copy of the order, by 11/4/02. Williams has not notified the Insurance Division of the action or provided a copy of the order.

Action

Pursuant to ORS 744.013(1) (1999), 744.074(1), and 744.011, Williams' Oregon nonresident insurance agent license shall be revoked on the date of this Final Order.

Dated January 14 2003

/s/ C. Dell Williams Jr.
C. Dell Williams Jr.

FINAL ORDER

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

Dated February 11, 2003

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

//
//
//