

Heusinkveld an application dated 11/26/01 for a license in Oregon as a nonresident insurance agent. On the application, Heusinkveld answered “No” to question 11 which asked “Have you ever had a fine applied against your license, agency permit, certificate, approval, registration, or similar form of permission?” Heusinkveld’s answer was false and he knew or reasonably should have known that it was false because the following two states had assessed Heusinkveld a civil penalty. On 9/27/90, the insurance regulator for the State of Virginia issued an order, number INS 900310, assessing Heusinkveld a civil penalty of \$250 for “failing to obtain a surplus lines insurance broker’s license prior to procuring a policy of insurance with an insurer not licensed to transact the business of insurance in the Commonwealth of Virginia” and for “accepting surplus lines business from a person other than a duly licensed property and casualty insurance agent.” On 1/27/93, the insurance regulator for the State of Texas issued an order, docket number C-93-383, assessing Heusinkveld a civil penalty of \$500 for failing to notify Texas that Virginia had taken enforcement action against Heusinkveld.

Failed to Report Enforcement Action by Other State Insurance Regulator

Heusinkveld violated ORS 744.089(1) in one instance by engaging in the following conduct. On 3/27/02, the insurance regulator for the State of Wisconsin issued an order, number 02-C27532 temporarily denying until 4/27/02 Heusinkveld’s application, dated 10/25/01, for a Wisconsin nonresident insurance agent license. The insurance regulator took the action because Heusinkveld failed to disclose on the application that the states of Virginia, Texas, and Georgia, had taken administrative action against Heusinkveld. The actions taken by Virginia and Texas are described above. On 5/28/97, the insurance regulator for the State of Georgia issued an order, case number 96-234, reinstating Heusinkveld’s Georgia nonresident insurance agent license subject to one year probation for having administrative action taken against Heusinkveld by Virginia and Texas as described above, and for not having on file with the insurance regulator an appointment by an authorized insurer in Georgia. Heusinkveld was required by ORS 744.089(1) to notify the Insurance Division of the action by Wisconsin, and

provide a copy of the order, by 5/28/02. On 1/21/03, the Insurance Division received from Heusinkveld a letter dated 1/9/03, in response to a letter dated 1/8/03 from the Insurance Division, notifying the Insurance Division of the action and providing a copy of the order.

Action

Pursuant to ORS 731.988, Heusinkveld is assessed a civil penalty of \$2,200. 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 to the Insurance Division at 350 Winter Street NE, Room 440, Salem, OR 97301-3883, or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be received by the Insurance Division before the date of the final order.

Dated June 30, 2004

/s/ Robert T. Heusinkveld
Robert T. Heusinkveld

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated August 4, 2004

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

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