

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

In the Matter of **Joseph M. Morgan.**

) **FINAL ORDER**

) Case No. INS 03-10-003

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 Joseph M. Morgan (Morgan).

On 10/24/03, the director issued a notice of proposed action, pursuant to ORS 183.415 and related rules. The notice informed the party that the director proposed to take certain enforcement action against the party, the party was entitled to a hearing, and the party had to request a hearing in writing within 21 days if the party wanted a hearing. The notice also informed the party that the record of the proceeding then to date, including the designated portion of the Insurance Division's file on the party, would automatically become part of the contested case record for purposes of proving a prima facie case if the party 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 the party and found that it proves a prima facie case.

Therefore, the 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 Information**

Morgan has been licensed in Oregon as a nonresident insurance agent since 1/19/99. Morgan's current license number is 147847. Morgan's last recorded residence address is in Tempe, Arizona.

### Agent Not Licensed in Resident State

Morgan is subject to enforcement action pursuant to ORS 744.063(1)(a) because of the following circumstances. ORS 744.063(1)(a) requires a person licensed in Oregon as a nonresident insurance agent to be also licensed in the person's state of residence as a resident insurance producer. Morgan is a resident of Arizona. On 11/30/02, Morgan's Arizona resident insurance agent license expired. Therefore, Morgan has not qualified for an Oregon nonresident insurance agent license since 11/30/02.

### **Order**

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

### **Notice of Right to Judicial Review**

The party has the right to appeal the order to the Oregon Court of Appeals pursuant to ORS 183.480 and 183.482. If a party wants to appeal the order, the party must file a petition for judicial review with the Court of Appeals within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the day the party received the order. If the order was mailed to a party, then the date of service is the day the order was mailed to the party, not the day the party received the order. If a party does not file a petition for judicial review within the 60-day time period, then the party will lose the right to appeal this order. If a party appeals the order, the party should also send a copy of the petition to the Insurance Division by delivering it to the Labor and Industries Building, 350 Winter Street NE, Room 440 (4<sup>th</sup> Floor), Salem, Oregon; or mailing it to PO Box 14480, Salem, OR 97309-0405, or faxing it to 503-378-4351; or e-mailing it to [mitchel.d.curzon@state.or.us](mailto:mitchel.d.curzon@state.or.us).

Dated March 1, 2004

/s/ Cory Streisinger  
Cory Streisinger  
Director

Department of Consumer and Business Services