



### Enforcement Action by Other State Insurance Regulator

Dominguez is subject to enforcement action pursuant to ORS 744.074(1)(i) in three instances because of the following circumstances.

1. On 7/31/02, the Insurance Commissioner of the State of Idaho issued an order, number 2156, revoking Dominguez' temporary Idaho nonresident insurance agent license. The Insurance Commissioner took the action because Dominguez failed to disclose on his Idaho nonresident insurance agent license application dated 1/16/02 unspecified criminal charges.

2. On 4/9/03, the Insurance Commissioner of the State of Washington issued an order, number D 03-60, revoking Dominguez' Washington nonresident insurance agent license effective 4/29/03. The Insurance Commissioner took the action because Dominguez failed to promptly respond to an inquiry dated 2/7/03 from the Insurance Commissioner, and failed to notify the Insurance Commissioner that he had changed an unspecified address.

3. On 7/30/03, the Insurance Commissioner of the State of California issued an order, number LBB 0989-AP (AR), revoking Dominguez' California nonresident insurance agent license effective 8/29/03. The Insurance Commissioner took the action because Idaho took administrative action against Dominguez as described above.

### Failed to Report Enforcement Action by Other State Insurance Regulator

Dominguez violated ORS 744.089(1) in one instance by engaging in the following conduct. ORS 744.089(1) requires a person licensed in Oregon as an insurance agent to notify the Insurance Division of any administrative action taken against the person, and provide a copy of the order, within 30 days of the final disposition of the action. On 7/30/03, the Insurance Commissioner of the State of California issued an order, number LBB 0989-AP (AR), revoking Dominguez' California nonresident insurance agent license effective 8/29/03. The action was finally disposed of on 8/29/03. Thus, Dominguez was required to notify the Insurance Division of the action, and provide a copy of the order, by 9/29/03. Dominguez has not notified the Insurance Division of the action or provided a copy of the order.

### Failed to Respond to Director

Dominguez violated ORS 731.296 in one instance by engaging in the following conduct. ORS 731.296 requires a person licensed in Oregon as an insurance agent to promptly and truthfully respond to inquiries from the director. On 10/30/02, the Insurance Division mailed by certified mail a letter to Dominguez at his last recorded business address of Conseco Agency, 7360 S Kyrene Road T200, Tempe, AZ 85283-8432. The letter requested Dominguez to provide certain information to the Insurance Division by 11/24/02. On 11/2/02, a person at Conseco Agency signed for the letter. On 11/7/02, Dennis Gardea of Conseco Agency called and informed the Insurance Division that Dominguez had quit one to two months before. On 3/3/03, the Insurance Division mailed by certified mail a follow up letter to Dominguez at his last recorded residence address of 10701 E. Florian Avenue, Mesa, AZ 85284-7146. The letter requested Dominguez to provide the same information as previously requested to the Insurance Division by 3/17/03. On 3/21/03, the Insurance Division received the letter back undelivered with the notation "Return to Sender – Moves Left No address – Unable to Forward – Return to Sender." The Insurance Division has not received any response from Dominguez.

### **Order**

Pursuant to ORS 744.074(1), the Oregon license as an insurance agent issued to Dominguez 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 February 5, 2004

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

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