

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

In the Matter of **Robin R. Smith-Helm.** ) **STIPULATION** and  
 ) **FINAL ORDER**  
 ) Case No. INS 04-01-009

**STIPULATION**

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 Robin R. Smith-Helm (Smith-Helm).

Smith-Helm enters into this stipulation, pursuant to ORS 183.415(5), to conclude this proceeding without further administrative or judicial proceedings.

Smith-Helm waives the right to receive a notice of proposed action, receive a notice of the rights of a party and procedures in contested cases, have a hearing, be represented by an attorney at the hearing, receive a proposed order, file exceptions to the proposed order, and have the final order judicially reviewed.

Smith-Helm stipulates to the following facts, conclusions, and action; and consents to the issuance of a final order incorporating this stipulation.

**Facts and Conclusions**

Licensing Information

Smith-Helm has been licensed in Oregon as a nonresident insurance agent from 1/22/03 to 2/19/04. On 2/19/04, the Insurance Division received from Smith-Helm a letter dated 1/13/04 voluntarily surrendering her license. Smith-Helm's license number was 185486. Smith-Helm's last recorded residence address is located in Chandler, Oklahoma. Smith-Helm's last recorded business address is located in Oklahoma City, Oklahoma.

Failed to Report Enforcement Action by Other State Insurance Regulator

Smith-Helm violated ORS 744.089(1) in two instances 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.

1. On 3/26/03, the insurance regulator for the State of Wisconsin issued an order refusing to issue to Smith-Helm a Wisconsin nonresident insurance agent license for 31 days until 4/26/03. The insurance regulator for the State of Wisconsin took the action because Smith-Helm failed to disclose on her Wisconsin nonresident insurance agent license application dated 1/13/03 that the insurance regulator for the State of Oklahoma had taken administrative action taken against her. On 3/12/01 the insurance regulator for the State of Oklahoma issued an order, number 01-0317-DIS, assessing Smith-Helm a civil penalty of \$300.00. The insurance regulator for the State of Oklahoma took the action because on or about 8/6/00 Smith-Helm allowed her 14 year old daughter to drive her automobile without Smith-Helm in the automobile, the daughter was involved in a one-car accident in which the automobile hit a fence post and was rendered inoperable, and on or about 8/7/00 Smith-Helm filed a claim with her automobile insurance company falsely stating that Smith-Helm was driving the automobile and it hit a deer. The action by the insurance regulator for the State of Wisconsin was finally disposed of on 4/28/03. Thus, Smith-Helm was required to notify the Insurance Division of the action, and provide a copy of the order, by 5/28/04. Smith-Helm has not notified the Insurance Division of the action or provided a copy of the order.

2. On 4/2/03, the insurance regulator for the State of Kentucky issued an order refusing to issue to Smith-Helm a Kentucky nonresident insurance agent license. The insurance regulator took the action because the insurance regulator for the State of Oklahoma had taken administrative action taken against her as described above. Smith-Helm requested a hearing. On 10/29/03, the insurance regulator for the State of Kentucky issued an order authorizing the issuance of the license but placing it on probation for one year. The action was finally disposed of on 10/29/03. Thus, Smith-Helm was required to notify the Insurance Division of the action, and

provide a copy of the order, by 11/28/03. On or about 3/24/04, 117 days late, Smith-Helm notified the Insurance Division of the action and provided a copy of the order.

**Action**

Pursuant to ORS 731.988, Smith-Helm is assessed a civil penalty of \$400. 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 April 13, 2004

/s/ Robin R. Smith-Helm  
Robin R. Smith-Helm

**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 May 3, 2004

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

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