

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

In the Matter of **Mark A. Gray.**

) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 04-01-017

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 Mark A. Gray (Gray).

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

Gray 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.

Gray stipulates to the following facts, conclusions, and action, and consents to issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

Gray has been licensed in Oregon as a nonresident insurance agent from 1/16/02 to 1/31/04. On 1/31/04, Gray's license expired. Gray's license number was 174548. Gray's last recorded residence is in Manchester, Missouri.

Enforcement Action by Other State Insurance Regulator

Gray is subject to enforcement action pursuant to ORS 744.074(1)(i) in one instance because of the following circumstances. ORS 744.074(1)(i) permits the director to take any authorized enforcement action against a person licensed in Oregon as an insurance agent if another state insurance regulator cancels, revokes, suspends, refuses to renew the person's license in that state as an insurance agent, adjuster or consultant. On 3/28/03, the insurance regulator for the State of Washington issued an order, number D03-48, revoking Gray's Washington

nonresident insurance agent license effective on 4/17/03 if Gray did not request a hearing by the effective date. Gray did not request a hearing. Thus, the action was effective on 4/17/03. The insurance regulator took the action because Gray failed to respond to the insurance regulator's written inquiries on three separate occasions.

Failed to Report Enforcement Action by Other State Insurance Regulator

Gray 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 3/28/03, the insurance regulator for the State of Washington issued an order, number D03-48, revoking Gray's Washington nonresident insurance agent license effective on 4/17/03 as described above. The action was finally disposed of on 6/26/03. Thus, Gray was required to notify the Insurance Division of the action, and provide a copy of the order, by 7/28/03. Gray has not notified the Insurance Division of the action or provided a copy of the order.

Action

As consideration for the director not taking any enforcement action in this proceeding, Gray shall not renew his expired Oregon nonresident insurance agent license and shall not apply for any license authorized by ORS Chapter 744.

Dated June 1, 2004

/s/ Mark A. Gray
Mark A. Gray

FINAL ORDER

The director incorporates herein and adopts the above stipulation as the director's final decision in this proceeding, and orders that no enforcement action shall be taken against Gray.

Dated June 15, 2004

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