

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

In the Matter of **Linda G. Kenyon** ) **FINAL ORDER**  
 ) Case No. INS 04-02-014

**History of the Proceeding**

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 Linda G. Kenyon (Kenyon).

On 7/22/04, the director issued to the party a notice of proposed action, pursuant to ORS 183.415. The notice informed the party that they were entitled to a hearing.

The director did not receive a request for a hearing, and did not hold a hearing because the director determined that the record of the proceeding proved a *prima facie* case and no further evidence was needed.

Therefore, the director now makes the following final decision in this proceeding.

**Findings of Fact and Conclusions of Law**

Licensing Information

Kenyon was licensed in Oregon as a nonresident insurance agent from 5/10/94 to 5/31/03. On 5/31/03, Kenyon's license expired because Kenyon did not renew it.

Convicted of Felony Involving Dishonesty or Breach of Trust

Kenyon is subject to enforcement action pursuant to ORS 731.428(4) in one instance because of the following circumstances. ORS 731.428(4) requires the director to revoke, suspend, or refuse to renew, the Oregon insurance agent license issued to a person that has been convicted of a felony involving dishonesty or a breach of trust or of a crime pursuant to 18 U.S.C. §1033, unless the person applies for and the director gives written consent for the person to engage in the business of insurance pursuant to ORS 731.428 and Oregon Administrative Rules (OAR) 836-071-0323 *et seq.* On 11/10/03, Kenyon was convicted, based on a plea of guilty, by

the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, in the criminal case entitled *State of Idaho vs. Linda G. Kenyon*, case number H0300805, for the crime of grand theft, a felony, pursuant to Idaho Code §18-2403(1), 18-2407(1)(b). Kenyon committed the above crime by, sometime between April and November 2002, in the County of Ada, State of Idaho, stealing in excess of \$1,000 in cash from her employer, Pankratz Insurance Agency. The crime is a felony involving dishonesty or breach of trust or both as defined in OAR 836-071-0323(7). The director has not received from Kenyon an application for written consent to engage in the business of insurance and does not intend to issue any such consent.

### **Order**

Pursuant to ORS 744.074(1) and 744.011, Kenyon's expired Oregon nonresident agent license is revoked on the date of this order.

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

The party may have 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.

Dated September 20, 2004

/s/ Joel Ario  
Joel Ario  
Administrator  
Insurance Division  
Department of Consumer and Business Services