

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

In the Matter of **Jeffrey T. Clontz** ) **FINAL ORDER**  
 ) Case No. INS 04-10-005

**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 Jeffrey T. Clontz (Clontz).

On 10/7/04, the director notified the party that they were entitled to a hearing pursuant to ORS 183.415.

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

Clontz has been licensed in Oregon as a resident insurance agent from 9/1/87 to 9/30/01 and since 10/8/01.

Failed to Respond to Director's Inquiry

Clontz violated ORS 731.296 in two instances 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.

1. On 11/25/03, the Insurance Division received a complaint from Lorraine M. Liles (Liles) of Pleasant Hill, Oregon that she had requested from Zygar & Associates Insurance Agency (Zygar & Associates) on a number of occasions proof of insurance on their property but had not been successful in obtaining the proof. Liles indicated that she had spoken with Clontz, who worked for Zygar & Associates at the time, regarding getting the proof of insurance. The Insurance Division

requested Zygar & Associates to provide certain information about Liles' complaint. Zygar & Associates responded but the information provided was limited because Clontz was no longer working for Zygar & Associates. So, on 3/16/04, the Insurance Division mailed by certified mail a letter to Clontz at his last recorded residence mailing address of 3611 Douglas Drive, Springfield, OR 97478-8124. The letter requested Clontz to provide certain information about the complaint to the Insurance Division by 3/30/04. The letter was returned on 3/23/04 by the US Postal Service as "Not Deliverable As Addressed".

On 7/30/04, the Insurance Division mailed by certified mail another letter to Clontz to 1879 M. Street #22, Springfield, OR 97477. USPS delivered the letter to 1699 N Terry Space 294, Eugene, OR 97402-7732. The letter requested Clontz to provide certain information about the complaint to the Insurance Division by 8/27/04. On 8/9/04, the Insurance Division received by mail from Clontz a response dated 8/3/04. Clontz provided some but not all of the information requested. Clontz was asked to explain why he issued a binder that stated that the effective date was before the date the binder was issued. Clontz did not provide this information.

### **Order**

Pursuant to ORS 744.074(1), Clontz' Oregon resident 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 November 10, 2004

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

//  
//  
//