

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

In the Matter of **Great American Insurance Company of New York** ) **STIPULATION** and  
 ) **FINAL ORDER**  
 ) Case No. INS 05-05-008

**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 Great American Insurance Company of New York (Great American).

Great American enters into this stipulation, pursuant to ORS 183.415(5).

Great American waives all rights relative to an administrative hearing and judicial review thereof.

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

**Facts and Conclusions**

Licensing Information

Great American has been licensed in Oregon as a foreign insurer since 10/28/47. Great American's last recorded principal business address is located in Cincinnati, Ohio.

Compensated Unlicensed Person for Transacting Insurance in Oregon

Great American violated ORS 744.076(1) in one instance by engaging in the following conduct. ORS 744.076(1) prohibits an insurer from paying a commission, service fee, brokerage or other valuable consideration to a person for selling, soliciting or negotiating insurance in this state if the person is required to be licensed in Oregon as an insurer insurance producer and is not so licensed. At all relevant times, Richard W. Endlar Insurance Agency, Inc. (Endlar Agency) of Needham, Massachusetts was not licensed in Oregon as a nonresident business entity insurance producer. On or about 3/30/04, Endlar Agency sold, or caused to be

sold, to Fanno Pointe Condominium Owners Association, located in Tigard, Oregon, a commercial insurance policy issued by Great American, policy number IMP 6-69-76-05-00. The premium for the policy was \$2,640.00. Great American paid Endlar Agency \$396.00 in commissions for selling the policy.

**Action**

Pursuant to ORS 731.988, Great American is assessed a civil penalty of \$5,000. 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 the Labor and Industries Building, 350 Winter Street NE, Room 440 (4<sup>th</sup> Floor), Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment is due on, and shall be received by the Insurance Division by, the date of the final order.

Dated June 24, 2005

/s/ Stephen C. Beraha  
[Signature of Representative]

Stephen C. Beraha  
[Printed Name of Representative]

Senior Corporate Counsel  
[Printed Title of Representative]

Great American Insurance Company of New York

**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 July 20, 2005

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

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