

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

In the Matter of **Sheree L. Booker**) **FINAL ORDER**
) Case No. INS 04-10-009

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 Sheree L. Booker (Booker).

On 10/26/04, 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

Booker was licensed in Oregon as a nonresident insurance agent from 7/29/02 to 10/31/04. On 10/31/04, Booker's license expired because it was not renewed. Booker's last recorded residence address was located in Wilmington, Delaware. Booker's last recorded business address was located in New Castle, Delaware.

Failed to Report Enforcement Action by State Insurance Regulator

Booker 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 enforcement action taken against the person by another state insurance regulator, and provide a copy of the order, within 30 days of the final disposition of the action. On 1/27/04, the insurance regulator for the State of Washington issued an order, number D 04-14, revoking Booker's Washington nonresident insurance agent license effective on 2/16/04 if Booker did

not request a hearing by the effective date. Booker did not request a hearing. Thus, the action was effective on 2/16/04. The insurance regulator took the action because Booker failed to respond to three inquiries from the insurance regulator. The action was finally disposed of on 4/26/04. Thus, Booker was required to notify the Insurance Division of the action, and provide a copy of the order, by 5/26/04. Booker has not notified the Insurance Division of the action or provided a copy of the order.

Agent Not Licensed in Resident State

Booker violated ORS 744.063(1)(a) in one instance because of the following circumstances. ORS 744.063(1)(a) requires a person licensed in Oregon as a nonresident insurance agent to also be licensed and in good standing in the person's state of residence as a resident insurance producer. At all relevant times, Booker was a resident of Delaware. On 6/9/04, Booker's Delaware resident insurance agent license expired because she did not renew it. Therefore, Booker has not qualified for an Oregon nonresident insurance agent license since 6/9/04.

Failed to Respond to Director's Inquiry

Booker violated ORS 731.296 in one instance 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. On 7/15/04, the Insurance Division mailed by certified mail a letter to Booker at her last recorded residence mailing address of 2702 Carter Street, Wilmington, DE 19802-3612, and to her last recorded business mailing address of Household, 90 Christina Road New Castle, DE 19720-3118. The letter requested Booker to provide certain information to the Insurance Division by 8/16/04. Booker did not claim the letter sent to her at her residence address. Someone, other than Booker, received the letter sent to Booker at her business address. The Insurance Division has not received any response from Booker.

Order

Pursuant to ORS 744.074(1), Sheree L. Booker's Oregon nonresident insurance 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 January 20, 2005

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

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