

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

In the Matter of **Frances M. Romero**

) **FINAL ORDER**

) Case No. INS 04-12-006

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 Frances M. Romero (Romero).

On 12/16/04, the director notified the party that the director proposed to take enforcement action against the party and 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

Romero has been licensed in Oregon as a resident individual insurance producer from 2/18/92 to 2/28/97, from 6/23/97 to 2/28/03 and since 12/8/03. Romero's last recorded residence address was located in Gold Hill, Oregon, and last recorded business address was located in Medford, Oregon.

Convicted of Felony Involving Dishonesty or Breach of Trust

Romero is subject to enforcement action pursuant to ORS 731.428(4) 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 either (1) of a felony involving dishonesty or a breach of trust as defined in Oregon Administrative Rules (OAR) 836-071-0323(7), or (2) 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 OAR 836-071-0323 *et seq.* On 7/29/04, Romero was convicted, based on a plea of guilty, by the Circuit Court for Jackson County in the State of Oregon, in the criminal case entitled *State v. Frances Marie Romero*, number 042874FE, of one count of the crime of theft in the first degree, a felony, pursuant to ORS 164.055. Romero committed the above crime by, sometime between 10/1/03 and 1/1/04, stealing in excess of \$1,000 in checks and cash from her employer, Tom Stanaland Insurance Agency, Inc., located in Medford, Oregon. The crime is a felony involving dishonesty or breach of trust as defined in OAR 836-071-0323(7). The director has not received from Romero 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 44.074(1) and 731.428(4), Romero's Oregon resident insurance producer license is revoked on the date of this order.

Notice of Right to Judicial Review

The party may be entitled to have the final order reviewed by the Oregon Court of Appeals pursuant to ORS 183.480 and 183.482. A party may institute a proceeding for judicial review by filing with the court a petition for judicial review 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 files a petition, the party is requested to also send a copy of the petition to the Insurance Division.

Dated March 3, 2005

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

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