

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

In the Matter of **Bristolyn M. Pfeil**

) **FINAL ORDER**  
) Case No. INS 05-05-004

**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 Bristolyn M. Pfeil (Pfeil).

On May 20, 2005, the director issued a notice of proposed action notifying the party that the director proposed to take enforcement action against the party and that the party was entitled to a hearing, pursuant to ORS 183.415.

The director did not receive a request for a hearing. The director 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.

The director now makes the following final decision in this proceeding.

**Findings of Fact and Conclusions of Law**

Licensing Information

Pfeil has been licensed in Oregon as a resident individual insurance producer since 4/23/04. Pfeil's last recorded residence and business address is located in La Pine, Oregon.

Convicted of Felony Involving Dishonesty or Breach of Trust

Pfeil is subject to enforcement action pursuant to ORS 731.428(4) in seven instances because of the following circumstances. ORS 731.428(4) requires the director to revoke, suspend, or refuse to renew, the Oregon insurance producer 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 3/21/05, Pfeil was convicted, based on a plea of guilty, by the Circuit Court of the State of Oregon for Deschutes County, in the criminal case entitled *State of Oregon v. Bristolyn Marie Pfeil*, number 04FE0743AB, of the following two crimes: (1) one count of identity theft, a felony, pursuant to ORS 165.800; and (2) one count of forgery in the first degree, a felony, pursuant to ORS 165.013. Pfeil committed the above crimes during the period from about 4/1/03 to 4/5/04 by engaging in the conduct described in the indictment dated 6/8/04 issued in the above criminal case, which is incorporated herein by this reference. All of the crimes are felonies involving dishonesty or breach of trust as defined in OAR 836-071-0323(7). The director has not received from Pfeil an application for written consent to engage in the business of insurance and does not intend to issue any such consent.

On 3/22/05, Pfeil was convicted, based on finding of guilty by trial, by the Circuit Court of the State of Oregon for Deschutes County, in the criminal case entitled *State of Oregon v. Bristolyn Marie Pfeil*, number 04FE0398AB, of the following five crimes: (1) one count of the crime of aggravated theft in the first degree, a felony, pursuant to ORS 164.057; (2) one count of computer crime, a felony, pursuant to ORS 164.377; (3) one count of identity theft, a felony, pursuant to ORS 165.800; and (4) two counts of forgery in the first degree, a felony, pursuant to ORS 165.013. Pfeil committed the above crimes during the period from about 10/3/03 to 2/13/04 by engaging in the conduct described in the indictment dated 4/16/04 issued in the above criminal case, which is incorporated herein by this reference. All of the crimes are felonies involving dishonesty or breach of trust as defined in OAR 836-071-0323(7). The director has not received from Pfeil 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 731.428(4) and 744.074(1), Pfeil's Oregon resident individual 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 July 18, 2005

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

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