

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

In the Matter of **Jameson D. Mills**

) **FINAL ORDER**
) Case No. INS 06-04-006

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 Jameson D. Mills (Mills).

On 4/18/06, 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

Mills has been licensed in Oregon as a resident individual insurance producer since 7/20/00. Mills' last recorded residence address is located in Portland, Oregon.

Used a Fraudulent, Coercive, or Dishonest Practice in Business

Mills is subject to enforcement action pursuant to ORS 744.074(1)(h) because of the following circumstances. ORS 744.074(1)(h) prohibits a person from using a fraudulent, coercive, or dishonest practice, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Oregon or elsewhere. At all relevant times Mills was an authorized agent of various insurers of the Farmers Insurance Group (collectively referred to herein as Farmers).

On or about 1/20/05, Mills completed a document called an “Application For Three Year Vehicle Dealer Certificate” to be issued to RSV Auto, Inc. (RSV) of Gresham, Oregon. Mills completed and signed the application as an officer of RSV. The application included a section entitled “Certificate of Insurance.” Mills completed and signed the certificate as an agent of Farmers. The certificate indicated that Farmers had issued to RSV an insurance policy, number 035074320, effective from 1/20/05 to 1/20/06. The certificate stated, *inter alia*, that “**I CERTIFY THAT** ...The above described policy has been issued and provides liability limits of coverage required under ORS 806.070... It is a crime, under ORS 162.085 to certify the truth of a statement when you know it is not true.” (Emphasis in original.) The representation that Farmers had issue the policy to RSV was false and Mills knew that it was false because Mills did not do what was necessary to bind or obligate Farmers to provide any insurance to RSV. Farmers never issued any policy to RSV. On or about 1/26/05, Mills filed or caused to be filed the application with the Driver and Motor Vehicle Services Division (DMV) of the Oregon Department of Transportation. On 2/4/05, DMV issued a dealer certificate, number DA1169, to RSV.

On or about 4/15/05, Mills completed a document called an “Application To Correct Dealer / Rebuilder Vehicle Dealer Certificate” that had been issued to RSV. Mills completed the application with the necessary information to change RSV’s address from 720 Hogan Road in Gresham, Oregon, to 4889 Portland Road in Salem, Oregon. The application included a section entitled “Certificate of Insurance.” Mills completed and signed the certificate as an agent of Farmers. The certificate indicated that Farmers had issued to RSV an insurance policy, number 035074320, effective from 1/4/05 to 1/4/06. The policy number was the same, but the policy period was different, as on the previous certificate. The certificate stated, *inter alia*, that “**I CERTIFY THAT** ...The above described policy has been issued and provides liability limits of coverage required under ORS 806.070... It is a crime, under ORS 162.085 to certify the truth of a statement when you know it is not true.” (Emphasis in original.) The representation that Farmers had issue the

policy to RSV was false and Mills knew that it was false because Mills did not do what was necessary to bind or obligate Farmers to provide any insurance to RSV. Farmers never issued any policy to RSV. On or about 4/19/05, Mills filed or caused to be filed the application with DMV.

On or about 5/5/05, Mills completed another document called an “Application To Correct Dealer / Rebuilder Vehicle Dealer Certificate” that had been issued to RSV. Mills completed the application with the necessary information to change RSV’s address from 4889 Portland Road in Salem, Oregon, to 295 River Road, Eugene, Oregon. The application included a section entitled “Certificate of Insurance.” Mills completed and signed the certificate as an agent of Farmers. The certificate indicated that Farmers had issued to RSV an insurance policy, number 035074320, effective from 1/4/05 to 1/4/06. The policy number and policy period were the same as on the previous certificate. The certificate stated, *inter alia*, that “**I CERTIFY THAT** ...The above described policy has been issued and provides liability limits of coverage required under ORS 806.070... It is a crime, under ORS 162.085 to certify the truth of a statement when you know it is not true.” (Emphasis in original.) The representation that Farmers had issue the policy to RSV was false and Mills knew that it was false because Mills did not do what was necessary to bind or obligate Farmers to provide any insurance to RSV. Farmers never issued any policy to RSV. On or about 5/5/05, Mills filed or caused to be filed the application with DMV.

Order

Pursuant to ORS 744.074(1), Mills’ Oregon resident individual insurance producer license is revoked on the date of this order.

Notice of Right to Judicial Review

A party has the right to appeal this final order to 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 May 17, 2006

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

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