

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

In the Matter of **Terrence B. Seawright**

) **FINAL ORDER**

) Case No. INS 06-06-007

**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 Terrence B. Seawright (Seawright).

On 6/26/06, 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

Seawright has been licensed in Oregon as a nonresident individual insurance producer since 3/30/05. Seawright's last recorded residence and business address is located in Philadelphia, Pennsylvania.

Made False Statement on Insurance License Application

Seawright is subject to enforcement action pursuant to ORS 744.074(1)(a) because of the following circumstances. ORS 744.074(1)(a) permits the director to take any authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance producer if the person provided to the director incorrect, misleading, incomplete or materially untrue information on an Oregon insurance producer license application. On 3/30/05, the Insurance Division received electronically from the National Insurance Producer Registry

(NIPR) on behalf of Seawright an Oregon nonresident insurance producer license application dated the same date. On the application, Seawright answered “No” to question 1 which asked “[h]ave you ever been convicted of, or are you currently charged with, committing a crime, whether or not adjudication was withheld?” Seawright’s answer was false because Seawright had been convicted of the following crimes.

On 11/15/99, in case number 03885-99, in the Court of Common Pleas, Montgomery County, State of Pennsylvania, Seawright was convicted, upon a plea of guilty, of the crime of theft by deception, in violation of Section 3922(a)(1) of the Pennsylvania Consolidated Statutes, a felony.

On 3/1/00, in case number CR-0000266-99, in the Court of Common Pleas, Montgomery County, State of Pennsylvania, Seawright was convicted, upon a plea of guilty, of the crime of disorderly conduct, in violation of Section 6945-99 of the Pennsylvania Consolidated Statutes, a misdemeanor.

#### Enforcement Action by Other State Insurance Regulator

Seawright is subject to enforcement action pursuant to ORS 744.074(1)(i) because of the following circumstances. ORS 744.074(1)(i) permits the director to take any authorized enforcement action against a person when another state insurance regulator cancels, revokes, suspends, or refuses to renew, the person’s license in that state as an insurance producer, adjuster or consultant.

On 6/3/05, the insurance regulator for the State of California issued an order, number LBB 2391-AP (AR), revoking Seawright’s California nonresident insurance producer license effective 7/3/05 because Seawright (1) was convicted of the felony crime described above, and (2) failed to disclose on his California insurance producer license application both convictions described above.

On 10/17/05, the insurance regulator for the State of Connecticut issued an order, number MC 05-91, revoking Seawright’s Connecticut nonresident insurance producer license because Seawright (1) failed to disclose on his Connecticut insurance producer license application filed on or about 4/30/02 both convictions

described above, and (2) failed to timely notify Connecticut of California's administrative action described above.

On 2/23/06, the insurance regulator for the State of Iowa issued an order, number IID 4667, revoking Seawright's Iowa nonresident insurance producer license effective 3/25/06 because Seawright (1) was convicted of the felony crime described above, (2) failed to disclose on his Iowa insurance producer license application both convictions described above, and (3) failed to timely notify Iowa of California's administrative action described above.

On 5/11/06, the insurance regulator for the State of Idaho issued an order, number 18-2332-05, revoking Seawright's Idaho nonresident insurance producer license because Seawright (1) was convicted of the felony crime described above, and (2) failed to disclose on his Idaho insurance producer license application both convictions described above.

#### Failed to Report Enforcement Action by Other State Insurance Regulator

Seawright is subject to enforcement action pursuant to ORS 744.089(1) because of the following circumstances. ORS 744.074(1)(b) permits the director to take any authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance producer if the person violated any insurance statute; or any rule, order or subpoena of the director or the insurance regulator of another state. ORS 744.089(1) requires a person licensed in Oregon as an insurance producer 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 6/3/05, the insurance regulator for the State of California issued an order, number LBB 2391-AP (AR), revoking Seawright's California nonresident insurance producer license effective 7/3/05 as described above. Thus, Seawright was required to notify the Insurance Division of the action and provide a copy of the order by 8/2/05. Seawright has not notified the Insurance Division of the action or provided a copy of the order.

On 10/17/05, the insurance regulator for the State of Connecticut issued an order, number MC 05-91, revoking Seawright's Connecticut nonresident insurance producer license as described above. Thus, Seawright was required to notify the Insurance Division of the action and provide a copy of the order by 11/16/05. Seawright has not notified the Insurance Division of the action or provided a copy of the order.

On 2/23/06, the insurance regulator for the State of Iowa issued an order, number IID 4667, revoking Seawright's Iowa nonresident insurance producer license effective 3/25/06 as described above. Thus, Seawright was required to notify the Insurance Division of the action and provide a copy of the order by 4/24/06. Seawright has not notified the Insurance Division of the action or provided a copy of the order.

Failed to Respond to Director's Inquiry

Seawright is subject to enforcement action pursuant to ORS 731.296 because of the following circumstances. ORS 744.074(1)(b) permits the director to take any authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance producer if the person violated any insurance statute; or any rule, order or subpoena of the director or the insurance regulator of another state. ORS 731.296 requires a person who is licensed in Oregon in any capacity under the Insurance Code to promptly and truthfully respond to an inquiry from the director. On 1/17/06, the Division mailed by certified mail a letter to Seawright at his last recorded residence mailing address of 1700 Nedro Avenue, Philadelphia, Pennsylvania 19141-1338. The letter requested Seawright to provide certain information to the Insurance Division by 2/17/06. On 1/20/06, a person whose name appeared to be Margaret Seawright signed for the letter. The Insurance Division has not received any response from Seawright.

**Order**

Pursuant to ORS 744.074(1), Seawright's Oregon nonresident 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 July 26, 2006

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

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