

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

In the Matter of **Lorie A. Kilcup**

) **FINAL ORDER**  
) Case No. INS 06-12-005

**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 Lorie A. Kilcup (Kilcup).

On 1/9/07, the director issued a notice of proposed action notifying the party that the director proposed to take enforcement action against the party and 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

Kilcup has been licensed in Oregon as a resident individual insurance producer since 9/25/98. Kilcup's last recorded residence address is located in Milwaukie, Oregon.

Made False Statement on or Relative to an Insurance Application

Kilcup is subject to enforcement action pursuant to ORS 746.100 because of the following circumstances. ORS 746.100 prohibits a person from making a false or fraudulent statement or representation on or relative to an application for insurance. On 12/12/05, Kilcup printed an application for automobile insurance policy, number 66649611-0, to be issued by Progressive Casualty Insurance Company (Progressive) to Miguel Calixeco Rabada (Rabada) and Kristina Sheaffer, husband and wife, of Portland, Oregon. On the same date Kilcup electronically sent

selected information from the application to Progressive. On 12/14/05, Kilcup mailed a copy of the printed application to Progressive. The application indicated that Rabada, as the applicant, signed the application on 12/11/05. This representation was not true and Kilcup knew that it was not true because Kilcup did not print the application to be signed until the following Monday on 12/12/05. The application also indicated that Robert F. Miller (Miller), as the producing agent, signed the application on 12/11/05 at 9:00 AM. This representation was not true and Kilcup knew that it was not true because Kilcup completed and signed the application, not Miller; Kilcup did so on 12/12/05, not 12/11/05; and Miller did not know about the transaction.

**Order**

Pursuant to ORS 744.074(1), Kilcup's 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 judicial review of this final order pursuant to ORS 183.480 and 183.482. A party may request judicial review by sending a petition for judicial review to the Oregon Court of Appeals. The court must receive the petition within 60 days from the date this order was sent to the party. If a party files a petition, the party is requested to also send a copy of the petition to the Insurance Division by delivering it to the Labor and Industries Building, 350 Winter Street NE, Room 440 (4th Floor), Salem, Oregon; or mailing it to PO Box 14480, Salem, OR 97309-0405; or faxing it to 503-378-4351; or e-mailing it to mitchel.d.curzon@state.or.us.

Dated February 5, 2007

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

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