

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

In the Matter of **Sue Ellen Sykes** ) **STIPULATION** and  
 ) **FINAL ORDER**  
 ) Case No. INS 08-02-004

**STIPULATION**

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 Sue Ellen Sykes (Sykes) also known as Sophie S. Sykes.

Sykes desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.415(5).

Sykes waives all rights relative to an administrative hearing and judicial review thereof.

Sykes stipulates to the following facts, conclusions, action, and to the issuance of a final order incorporating this stipulation.

**Facts and Conclusions**

Licensing Information

Sykes has been licensed in Oregon as a resident individual insurance producer since 3/8/04. Sykes' current residence address is located in Creswell, Oregon and current business address is located in Eugene, Oregon.

Failed to Make Reasonable Inquiry of Applicant's Circumstances Prior to Making Recommendation in Life Insurance Transaction

Sykes is subject to enforcement action pursuant to OAR 836-080-0090 because of the following circumstances. OAR 836-080-0090 prohibits a person from recommending to a consumer the purchase, sale, or replacement of a life insurance policy or annuity, or any rider, endorsement or amendment to the policy or annuity, without *reasonable grounds* to believe that the transaction is not unsuitable for the consumer *based upon a reasonable inquiry* concerning the consumer's insurance

objectives, financial situation and needs, age and other relevant information known by the person. On or about 9/19/05, Sykes recommended to a particular person, who resided in Oregon, that the person purchase a single premium fixed annuity to be issued by Bankers Life and Casualty Company. Sykes failed to sufficiently ask the person about the person's circumstances before recommending that the person purchase the annuity.

### **Action**

As consideration for the director not continuing to investigate Sykes and not taking enforcement action against Sykes, Sykes surrenders her Oregon resident insurance producer license effective **April 30, 2008**, and agrees to not apply for any license authorized by ORS Chapter 744.

Sykes acknowledges that the stipulation and final order shall be attached to any "letter of clearance" issued by the director to another state insurance regulator.

Dated February 29, 2008      /s/ Sue Ellen Sykes  
Sue Ellen Sykes

### **FINAL ORDER**

The director incorporates herein and adopts the above stipulation as the director's final decision in this proceeding, and orders that no enforcement action shall be taken.

Dated March 21, 2008      /s/ Scott J. Kipper  
Scott J. Kipper  
Administrator  
Insurance Division  
Department of Consumer and Business Services

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