

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

In the Matter of **Brian D. Hayden** ) **STIPULATION** and  
 ) **FINAL ORDER**  
 ) Case No. INS 09-04-008

**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 Brian D. Hayden (Hayden).

Hayden desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.417(3).

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

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

**Facts and Conclusions**

Licensing Information

Hayden was licensed in Oregon as a nonresident individual insurance producer from 1/13/06 to 11/30/08. On 11/30/08, Hayden's license expired. Hayden's last recorded residence and business address was located in Louisville, Kentucky.

Administrative Action by Other State Insurance Regulator

Hayden 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 who has applied for a license or is licensed in Oregon as an insurance producer if another state insurance regulator canceled, revoked, suspended, or refused to renew, the person's license in that state as an insurance producer, adjuster or consultant.

On 10/20/08, the insurance regulator for the State of Ohio issued an order, unnumbered, revoking Hayden's Ohio nonresident insurance producer license. The insurance regulator took the action pursuant to Ohio Revised Code (ORC) §3905.14(D)(9) because Hayden was subject to enforcement action pursuant to ORC §3905.14(B)(10) because "On or about October 19, 2007, Hayden's Pennsylvania insurance license was surrendered for cause and he was ordered to cease and desist all insurance activity due to his unfair insurance practices including forgery."

On 12/23/08, the insurance regulator for the State of Kentucky issued an order, number 2008-0419, revoking Hayden's Kentucky resident insurance producer license. The insurance regulator took the action pursuant to Kentucky Revised Statutes (KRS) §304.9-440(1) because Hayden, among other things, violated KRS §304.9-440(1)(k) by forging a person's name on an application for insurance.

Failed to Report Administrative Action by Other State Insurance Regulator

Hayden 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 administrative 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), an insurance statute, requires a person who is licensed in Oregon as an insurance producer to notify the director of any administrative 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. As referred to above, on 10/20/08, the insurance regulator for the State of Ohio issued an order, unnumbered, revoking Hayden's Ohio nonresident insurance producer license. The action was finally disposed of on 11/4/08 pursuant to ORC §119.12. Hayden was required to notify the director of the action and provide a copy of the order by 12/4/08. Hayden has not notified the director of the action or provided a copy of the order.

**Action**

Pursuant to ORS 744.074(1), Hayden's expired<sup>1</sup> insurance producer license is revoked on the date of the final order.

Dated 5/26/09

/s/ Brian D. Hayden  
Brian D. Hayden

**FINAL ORDER**

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated 6/16/09

/s/ Teresa D. Miller  
Teresa D. Miller  
Acting Administrator  
Insurance Division  
Department of Consumer and Business Services

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<sup>1</sup> ORS 744.011 permits the director to investigate and take enforcement action against a person who was licensed in Oregon as an insurance producer but is no longer licensed because the license expired or was surrendered.