

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

In the Matter of **Shannon K. Hart**) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 10-08-011

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 Shannon K. Hart (Hart).

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

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

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

Facts and Conclusions

Licensing Information

Hart has been licensed in Oregon as a nonresident individual insurance producer from since 1/11/10. Hart's last recorded residence and business address is located in Indianapolis, Indiana.

Convicted of Crime

Hart is subject to enforcement action pursuant to ORS 744.074(1)(f) because of the following circumstances. ORS 744.074(1)(f) 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 was convicted of a felony or an offense punishable by death or imprisonment under the laws of the United States.

On 9/19/07, Hart was convicted, based on a plea of guilty, in the criminal case *United State of America vs. Shannon Kathleen Hart*, Docket Number CR 05-12(A)-RGK, of committing one count of the crime of narcotics possession with intent to distribute, a felony, pursuant to 21 USC §841(a)(1). Hart committed the crime by on or about 9/24/04, in Los Angeles and San Bernardino Counties, within the Central District of California, knowingly and intentionally possessing with intent to distribute 500 grams or more (approximately 994 grams) of a mixture or substance containing a detectable amount of cocaine, a schedule II narcotic drug controlled substance.

Provided Incorrect, Misleading, Incomplete or Materially Untrue Information on Insurance License Application

Hart 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 1/9/10, the Insurance Division received from Hart an application dated 1/8/10 for an Oregon nonresident individual insurance producer license. On the application, Hart answered “no” to question 1 which asked “Have you ever been convicted of a crime, had a judgment withheld or deferred or are you currently charged with committing a crime?” Hart's answer was false because Hart was convicted of the crime described above.

Administrative Action by Other State Insurance Regulator

Hart 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.

