



and residence telephone number is 541-665-0124. Letendre's last recorded business address is American Family Insurance, 260 NE Agness Avenue, Grants Pass, OR 97526-3904, and business telephone number is 541-472-9019. However, Letendre's current residence street address is believed to be 615 Old County Road, Brookings, OR 97415 and current residence mailing address is PO Box 6512, Brookings, OR 97415-0282.

Letendre Agency was licensed in Oregon as a resident business entity insurance producer from 7/26/06 to 7/31/10. Letendre Agency's license expired on 7/31/10. Letendre Agency's license number is 817419 and federal employer identification number (FEIN) is 54-5897103. The Letendre Agency's last recorded *principal business address* is 260 NE Agness Avenue, Grants Pass, OR 97526-3904; and *principal business* telephone number is 541-472-9019.

#### Accepted Insurance Business From Unlicensed Person

Letendre is subject to enforcement action pursuant to ORS 744.074(1)(m) because of the following circumstances. ORS 744.074(1)(m) 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 knowingly accepted insurance business from an individual who is not licensed.

From 4/7/08 to 7/1/08, in 20 instances, Letendre accepted insurance business from John H. Woodward (Woodward), finance manager at World Famous, Inc. dba World Famous Auto in Medford, Oregon. Woodward has never been licensed in Oregon as an insurance producer. Letendre knew Woodward was not licensed. Letendre and Woodward agreed that Woodward would help persons who purchased an automobile from World Famous Autos to purchase automobile insurance through Letendre, and Letendre would pay Woodward half of the commissions Letendre received from the insurer that provided the insurance. Letendre provided Woodward with a laptop computer, and documents to apply for the insurance including applications, consent forms and insurance binders already signed by Letendre. Letendre instructed Woodward how to complete the paperwork, enter the information into the laptop computer, calculate the insurance premium, and receive

premiums. After Woodward sold insurance to a person, Woodward notified Letendre by e-mail, and Letendre picked up the completed application documents and premiums and gave the policy declaration pages to Woodward to give to the person.

#### Used a Fraudulent, Coercive, or Dishonest Practice in Business

Letendre is subject to enforcement action pursuant to ORS 744.074(1)(h) because of the following circumstances. ORS 744.074(1)(h) 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 used a fraudulent, coercive, or dishonest practice, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Oregon or elsewhere.

Letendre used a dishonest practice in the conduct of insurance business in Oregon. From 4/22/08 to 7/14/08, in 18 instances, Letendre issued to persons residing in Oregon insurance cards on behalf of American Family Mutual Insurance Company (American Family) misrepresenting that the person named therein was insured by American Family under the policy number stated therein. The policy number was either not then assigned to an insured person, or was assigned but to a different insured person.

#### Failed to Notify Director of Change of Business Address

Letendre and Letendre Agency are each subject to enforcement action pursuant to ORS 744.068(4)(a) 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 744.068(4)(a) requires a person licensed in Oregon as an insurance producer to notify the director of a change of address or telephone number of the principal place of business or any location at which the insurance producer transacts business not later than the 30<sup>th</sup> day after the date of the change.

On 7/18/08, Letendre was immediately terminated by American Family and required to leave the American Family office at 260 NE Agness Avenue, Grants Pass, OR 97526-3904 by the end of the day. As a result, on 7/18/08, Letendre and Letendre Agency changed their business address from 260 NE Agness Avenue, Grants Pass, OR 97526-3904 to Letendre's then residence address of 1121 Temple Drive, Central Point, OR 97502-2157. Letendre and Letendre Agency were required to notify the director of the change of address by 8/18/08. Letendre and Letendre Agency did not notify the director of the change of address. On or about 6/3/09, Letendre and Letendre Agency again changed his business address from 1121 Temple Drive, Central Point, OR 97502-2157 to the street address of 615 Old County Road, Brookings, OR 97415 and mailing address of PO Box 6512, Brookings, OR 97415-0282. Letendre and Letendre Agency were required to notify the director of the change of address by 7/13/09. Letendre and Letendre Agency again did not notify the director of the change of address.

Failed to Notify Director of Change of Residence Address

Letendre is subject to enforcement action pursuant to ORS 744.068(4)(c) 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 744.068(4)(c) requires a person licensed in Oregon as a resident insurance producer to notify the director of a change of address or telephone number of the residence of the producer not later than the 30<sup>th</sup> day after the date of the change. On or about 6/3/09, Letendre changed his residence street and mailing address from 1121 Temple Drive, Central Point, OR 97502-2157 to the street address of 615 Old County Road, Brookings, OR 97415 and mailing address of PO Box 6512, Brookings, OR 97415-0282. Letendre was required to notify the director of the change of address by 7/13/09. Letendre did not notify the director of the change of address.

## Enforcement Action Against Business Entity for Acts of Individual

Letendre Agency is subject to enforcement action pursuant to ORS 744.074(3) because of the following circumstances. ORS 744.074(3) permits the director to only revoke, suspend, refuse to issue, or refuse to renew, the Oregon business entity insurance producer license issued to a business entity when the director determines that an individual, who was employed by or otherwise authorized to act for the business entity, and was licensed in Oregon as an individual insurance producer, violated a provision of the Insurance Code or related rules, and the partners, officers, or managers of the business entity knew or should have known of the individual's violation but the partners, officers, or managers did not report the violation to the director or did not take any corrective action or both. At all relevant times, Letendre Agency was licensed in Oregon as a business entity insurance producer, and Letendre was licensed in Oregon as an individual insurance producer. Letendre, as an employee of Letendre Agency, committed certain violations described above. Letendre, as the sole proprietor of Letendre Agency, knew or should have known of such violations because he committed the violations. However, Letendre did not report such violations to the director and did not take any corrective action.

### **Order**

Pursuant to ORS 744.074(1), Letendre's expired Oregon resident individual insurance producer license and Letendre Agency's expired Oregon resident business entity insurance producer license are revoked on the date of this order.

### **Notice of Right to Judicial Review**

Each party has the right to judicial review of this order pursuant to ORS 183.480 and ORS 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 served on the party. If the order was personally delivered to a party, then the date of service is the date the party received the order. If the order was mailed to a party, then the date of service is the date the order was mailed to the party, not the date 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 by delivering it to the Labor and Industries Building, 350 Winter Street NE Room 300, Salem, Oregon 97301-3880; 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](mailto:mitchel.d.curzon@state.or.us).

Dated November 8, 2010

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

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