

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

In the Matter of **Amanda J. Hill.**

) **FINAL ORDER**

) Case No. INS 11-05-007

**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 Amanda J. Hill (Hill).

On 8/10/11, the director issued a notice of proposed action informing the party that the director proposed to take enforcement action against the party, the party was entitled to a hearing pursuant to ORS 183.415, and if the party wanted a hearing then the party had to send to the director a written request for a hearing so that the director received it by 8/31/11. The notice also informed the party that if a hearing was not conducted then the designated portion of the Insurance Division's file and all materials submitted by the party in this case would automatically become part of the contested case record for the purpose of proving a *prima facie* case.

The director did not receive from the party a request for a hearing and did not conduct a hearing.

The director finds that the record of this proceeding proves a *prima facie* case.

The director now makes the following final decision in this proceeding.

**Findings of Fact and Conclusions of Law**

Licensing Information

Hill has been licensed in Oregon as a resident individual insurance producer since 3/16/07. Hill's license is scheduled to expire on 9/30/11. Hill's license number is 715866, and NAIC national producer number is 9090258. Hill's last recorded residence and business address is 33555 East Columbia Avenue Suite 212, Scappoose, OR 97056-3438; residence telephone number is 503-543-3500; business telephone number is 503-543-3500; and business e-mail is [ahil4@amfam.com](mailto:ahil4@amfam.com).

However, the director has reason to believe that Hill's actual residence address is 10135 N Tyler Avenue, Portland, OR 97203-1655.

Failed to Respond to Director's Inquiry

Hill is subject to enforcement action pursuant to ORS 731.296 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 731.296 requires a person who is licensed in Oregon in any capacity under the Insurance Code to promptly and truthfully respond to an inquiry from the director.

On 6/22/10, the director received from American Family Insurance Group a letter dated 6/17/10. The letter informed the director that the three insurers that are part of the group, American Family Life Insurance Company, American Family Mutual Insurance Company, and American Family Standard Insurance Company of Wisconsin (collectively referred to as American Family), had terminated their appointments of Hill effective on 5/21/10 because American Family had discovered several instances in which Hill received premium payments but did not deposit them into an account that American Family could access. The letter stated that Hill owed American Family \$15,230.59. The letter also stated that American Family would send additional information to the director, which the director received on 2/17/11 and 4/1/11.

On 9/14/10, the director received from a person residing in Oregon a complaint that the person had given to Hill's agency, Amanda Hill Agency, a check in the amount of \$1,599 on 5/5/10 as payment of the annual premium for the person's home insurance policy issued by American Family but American Family continued to bill the person for the amount due and intended to cancel the policy for nonpayment of the premium. The check was negotiated on 5/5/10. On 8/30/10, American Family canceled the policy. On 12/29/10, after the director investigated

the complaint and provided to American Family a copy of the negotiated check, American Family credited the person with the payment and reinstated the policy.

On 1/20/11, the director obtained an Oregon Driver and Motor Vehicle Services Division printout of Hill's Oregon driver license information showing that Hill's residence address was actually 10135 N Tyler Avenue, Portland, OR 97203-1655.

Also on 1/20/11, the director mailed by certified mail a letter dated 1/20/11 to Hill at her last known residence address of 10135 N Tyler Avenue, Portland, OR 97203-1655. The letter requested Hill to provide certain information to the director by 2/17/11. On 2/14/11, the director received by return mail the letter unclaimed.

On 2/18/11, when Hill did not respond by the due date, the director mailed by first class mail a follow up letter dated 2/18/11 to Hill at her last known residence address of 10135 N Tyler Avenue, Portland, OR 97203-1655.

On 7/7/11, when Hill did not respond by the due date, the director mailed by certified mail a letter dated 7/7/11 to Hill at both her last recorded residence and business address at 33555 East Columbia Avenue Suite 212, Scappoose, OR 97056-3438; as well as to her last known residence address of 10135 N Tyler Avenue, Portland, OR 97203-1655. The letter requested Hill to provide certain information to the director by 8/8/11. On 7/11/11, the director received the certified mail receipt for the letter mailed to Hill at her last known residence address indicating that the letter was received by a "Beth Stibik" on 7/10/11. Also on 7/11/11, the director received the letter mailed to Hill at her last recorded residence and business address indicating that the letter could not be delivered as addressed, although the address was a complete address according to the US Postal Service.

The director has not received any response from Hill.

### **Order**

Pursuant to ORS 744.074(1), Hill Oregon resident individual insurance producer and business entity license is revoked on the date of this order.

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### Notice of Right to Judicial Review

A 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 September 7, 2011

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

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