

The director 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

Javier Agency has been licensed in Oregon as a resident business entity insurance producer from 10/13/08 to 10/31/10 and since 5/2/11. Javier Agency's license is scheduled to expire on 10/31/12. Javier Agency's license number is 819683, NAIC entity number is 11852050, and federal employer identification number (FEIN) is 20-5616049. Javier Agency's last recorded principal place of business address is 14335 SW Allen Boulevard Suite 203, Beaverton, OR 97005-4425; telephone number is 503-626-5013; and e-mail address is javier.insurance@yahoo.com. However, the director has reason to believe that Javier Agency is no longer located at this address or anywhere in Oregon but that its mailing address maybe PO Box 22913, Milwaukie, OR 97269-2913. Javier Agency is registered with the Oregon Secretary of State Corporation Division from 5/27/08 to 7/23/10 under number 523126-92, and since 4/27/11 under number 765204-94.

Failed to Respond to Director's Inquiry

Javier Agency 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 1/11/12, the director mailed by certified mail a letter dated 1/1/12 to Javier Agency at PO Box 22913, Milwaukie, OR 97269-2913. The letter requested Javier Agency to provide certain information to the director by 2/1/12. On 1/12/12, Javier Agency received the letter. On 2/1/12, Javier Agency sent to the

director an e-mail confirming that it received the letter but requested more time to respond to letter. On 2/1/12, the director extended the due date from 2/1/12 to 2/10/12. On 2/2/12, Javier Agency sent an e-mail to the director confirming that it received the e-mail dated 2/1/12 and saying, in relevant part, "Thanks for the extra days." On 2/29/12, the director sent an e-mail to Javier Agency saying that the director had not received from Javier Agency any response since receiving Javier Agency's e-mail dated 2/2/12. The director has not received any further response from Javier Agency.

Order

Pursuant to ORS 744.074(1), Javier Agency's Oregon resident business entity insurance producer license is revoked on the date of this order.

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, OR 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.

Dated May 30, 2012

/s/ Louis Savage
Louis Savage
Acting Administrator
Insurance Division
Department of Consumer and Business Services