

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

In the Matter of **Marcus W. Horne**

) **FINAL ORDER**

) Case No. INS 12-07-003

The Director of the Oregon Department of Consumer and Business Services (director), by and through the Insurance Division, commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to terminate previous enforcement action taken against Marcus W. Horne (Horne).

The director makes the following final decision in this proceeding.

Findings of Fact and Conclusions of Law

Licensing Information

Horne has been licensed in Oregon as a resident individual insurance producer since 11/12/10. However, Horne's license has been suspended since 6/14/12. Horne's license is scheduled to expire on 1/31/13. Horne's license number is 768303, and NAIC national producer number is 15978224. Horne's last recorded residence and principal place of business address is 9230 SW Coral Street, Tigard, OR 97223-6661; and telephone number is 503-484-5970.

License No Longer Subject to Suspension Pursuant to ORS 25.750 to 25.783

Horne is no longer subject to enforcement action pursuant to ORS 25.774 because of the following circumstances. ORS 25.780(1) requires an "entity that issues licenses, certificates, permits or registrations that a person is required by state law to possess to engaged in an occupation, [or] profession ...to suspend without further hearing the license, certificate, permit or registration of a person upon certification by the administrator [as defined in ORS 25.010(1)] that the person is subject to an order suspending the license, certificate, permit or registration. The certification must include the information specified in ORS 25.750(1)." On 5/1/12, the director received from the Oregon Department of

Justice a notice to suspend dated 4/28/12 certifying that Horne is subject to an order suspending Horne's Oregon resident individual insurance producer license pursuant to ORS 25.780(1). The certification included the information specified in ORS 25.750(1). On 6/14/12, the director issued an order, case number INS 12-05-003, suspending Horne's license pursuant to ORS 25.780(1). ORS 25.774 states in part that "[w]hen, at any time after suspension under ORS 25.750 to 25.783, the conditions resulting in the suspension no longer exist, the administrator [as defined in ORS 25.010(1)] shall so notify the issuing entity and shall confirm that the license, certificate, permit or registration may be reinstated contingent upon the requirements of the issuing entity. On 7/16/12, the director received from the Oregon Department of Justice a notice to reinstate dated 7/12/12 pursuant to ORS 25.774 informing the director that the director may reinstate Horne's license "because the reasons for suspension no longer exist."

Order

Pursuant to ORS 25.774, Horne's Oregon resident individual insurance producer license is no longer suspended effective 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 or mailing it to the Insurance Division at 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.

Dated July 23, 2012

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

//
//
//