

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

In the Matter of **Julie A. Goss**) **FINAL ORDER**
) Case No. INS 12-09-002

History of the Proceeding

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 take enforcement action against Julie A. Goss (Goss).

On 9/21/12, 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 10/12/12. 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

Goss was licensed in Oregon as a nonresident individual insurance producer from 7/5/07 to 12/31/11. On 12/31/11, Goss' license expired. Goss' license number was 203750 and NAIC national producer number is 8479438. Goss' last recorded residence and business address is 4800 NE 46th Street, Vancouver, WA 98661-2871;

residence telephone number is 360-254-2831; and business telephone is 360-601-8884.

ORS 744.011 permits the director to investigate and take enforcement action against a person who was licensed in Oregon as an insurance producer but is no longer licensed because the license expired or was surrendered.

Used a Fraudulent, Coercive, or Dishonest Practice in Business

Goss is subject to enforcement action pursuant to ORS 744.074(1)(h) and ORS 744.074(1)(k) 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. Goss used a fraudulent practice in the conduct of insurance business in Oregon.

ORS 744.074(1)(k) 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 and who forged another person's name to an application for insurance or related document.

From 8/2/10 to 1/24/11, Goss completed and sent to American Family Life Assurance Company of Columbus (AFLAC) 91 applications for insurance relative to 30 persons. Of the 30 persons, 13 resided or purportedly resided in Oregon and 17 resided or purportedly resided in Washington. Also of the 30 persons, five were actual persons and 25 were fictitious persons. On all 91 applications, Goss misrepresented that the person named as the applicant was (1) an actual person, (2) applied for the insurance, or (3) was actually employed by a specified employer and thereby entitled to apply for the insurance. Also, on four of the 91 applications, Goss forged the name of the person named as the applicant. Goss received from AFLAC \$17,611.25 in commissions for the transactions.

Administrative Action by Other State Insurance Regulator

Goss 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.

On 1/24/12, the insurance regulator for the State of Washington issued an order, number 12-008, revoking Goss' Washington resident insurance producer license effective 2/11/12 pursuant to Revised Washington Code (RWC) §48.17.530(1), if Goss did not request a hearing by 4/23/12 pursuant to RWC §48.04.010(3). Goss did not request a hearing. The insurance regulator took the action because Goss (1) engaged in the fraudulent conduct described above pursuant to RCW§48.30.210, (2) failed to notify the regulator of Goss' change of address pursuant to RCW§48.17.170(12), and (3) failed to respond to two inquiries from the regulatory pursuant to RCW§48.17.475.

Order

Pursuant to ORS 744.074(1), Goss's expired Oregon nonresident individual 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, 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 October 22, 2012

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

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