

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

In the Matter of **Dane R. Phillips**

) **FINAL ORDER**

) Case No. INS 12-10-005

**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 Dane R. Phillips (Phillips).

On 11/6/12, 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 11/27/12. The notice also informed the party that if a hearing was not conducted because the party did not timely request a hearing or otherwise defaulted 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

Phillips has been licensed in Oregon as a resident individual insurance producer since 5/18/11. Phillips' license is scheduled to expire on 11/30/13. Phillips' license number is 224572, and NAIC national producer number is 0016163198. Phillips' last recorded residence address is 1419 Homestead Place, Molalla, OR 97038-7397;

and telephone number is 503-866-1312. Phillips' last recorded principal place of business address is The Option Group, 1515 NE Weidler Street, Portland, OR 97232-1410; and business telephone number is 503-249-3687. However, as indicated below, the director has reason to believe that Phillips at least no longer works at the above business address.

Failed to Notify Director of Change of Business Address

Phillips is subject to enforcement action pursuant to ORS 744.068(4)(a) because of the following circumstances. 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 30th day after the date of the change. Sometime in January or February 2012, Phillips changed his business address from The Option Group, 1515 NE Weidler Street, Portland, OR 97232-1410 to an unknown address; and his business telephone number from 503-249-3687 to an unknown number. Phillips was required to notify the director of the changes by at least 3/30/12. Phillips has not notified the director of this change of business address and telephone number.

Failed to Respond to Director's Inquiry

Phillips is subject to enforcement action pursuant to ORS 731.296 because of the following circumstances. 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 10/3/12, the director mailed by first class and certified mail a letter dated 10/3/12 at his last recorded residence address of 1419 Homestead Place, Molalla, OR 97038-7397. The letter requested Phillips to provide certain information to the director by 10/24/12. The director has not received any response from Phillips.

**Order**

Pursuant to ORS 744.074(1), Phillips' Oregon resident 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](mailto:mitchel.d.curzon@state.or.us).

Dated January 3, 2013

/s/ Louis Savage  
Louis Savage  
Insurance Commissioner

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