

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

In the Matter of **Robin V. Ruble**

) **FINAL ORDER**
) Case No. INS 12-11-001

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 Robin V. Ruble (Ruble).

On 11/8/12, 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 11/29/12. 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

Ruble was licensed in Oregon as a nonresident individual insurance producer from 10/19/99 to 10/31/04 and from 3/22/05 to 2/13/11, and has been licensed in Oregon as a resident individual insurance producer since 2/14/11. Ruble's license is scheduled to expire on 7/31/13. Ruble's license number is 223713, and NAIC national producer number is 584761. Ruble's last recorded residence and business address is 14515

Clackamas River Drive, Oregon City, OR 97045-9411; and telephone number is 206-650-4900.

Administrative Action by Other State Insurance Regulator

Ruble 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 9/9/11, the insurance regulator for the State of Washington issued an order, number 11-0208, revoking Ruble's Washington resident individual insurance producer license effective 9/27/11 pursuant to Revised Washington Code (RWC) §48.17.530(1), if Ruble did not request a hearing by 12/8/11 pursuant to RWC §48.04.010(3). Ruble did not request a hearing. Thus, Ruble's Washington license was revoked on 9/27/11. The insurance regulator took the action because Ruble violated (1) RCW§§48.30.210, 48.17.530(1)(e), 48.17.530(1)(h) and Washington Administrative Code (WAC) 284-23-440(1)(b) by knowingly making a false representation relative to at least nine life insurance applications that the person applying for the insurance had life insurance but did not intend to replace the existing insurance with the insurance being applied for, and (2) WAC 284-23-440(2)(d) by failing to provide to the replacing insurer a copy of a replacement notice.

Failed to Report Administrative Action by Other State Insurance Regulator

Ruble is subject to enforcement action pursuant to ORS 744.089(1) because of the following circumstances. ORS 744.089(1) requires a person who is licensed in Oregon as an insurance producer to notify the director of any administrative action taken against the person by another state insurance regulator and provide a copy of the order within 30 days of the final disposition of the action. On 9/9/11, the insurance regulator for the State of Washington issued the order referred to above. Ruble was entitled to request a hearing by 12/8/11 pursuant to RCW §48.04.010(3). However, Ruble did not request a hearing. Thus, Ruble was not entitled to judicial review of the order pursuant to RCW §34.05.534. Thus, the action was finally disposed of on 12/8/11.

Ruble was required to notify the director of the action and provide a copy of the order by 1/9/12. Ruble has not notified the director or provided a copy of the final order.

Failed to Respond to Director's Inquiry

Ruble 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 6/28/12, the director mailed by first class and certified mail a letter dated 6/28/12 to Ruble at his last recorded residence address of 14515 Clackamas River Drive, Oregon City, OR 97045-9411. The letter requested Ruble to provide certain information to the director by 7/19/12. On 7/31/12, the certified letter was returned marked "unclaimed / unable to forward." The director has not received any response from Ruble.

Order

Pursuant to ORS 744.074(1), Ruble's 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.

Dated January 3, 2013

/s/ Louis Savage
Louis Savage
Insurance Commissioner