

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

In the Matter of **David E. Williams**) **STIPULATION and**
) **FINAL ORDER**
) Case No. INS 12-12-004

STIPULATION

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 David E. Williams (Williams).

Williams desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.417(3).

Williams waives all rights relative to an administrative hearing and judicial review thereof.

Williams stipulates to the following facts, conclusions, action, and to the issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

Williams has been licensed in Oregon as a resident individual insurance adjuster from 12/14/99 to 7/31/09 and since 9/2/09. Williams' license was suspended from 12/6/12 to 2/6/13 pursuant to ORS 25.780(1). Williams' license is scheduled to expire on 7/31/13. Williams' license number is 616384, and NAIC national producer number is 6235440. Williams' last recorded residence street address is 6787 SW Firlock Way Apartment 3, Portland, OR 97223-7961; residence mailing address is 7410 SW Oleson Road PMB 368, Portland, OR 9722-7475; telephone number is 503-928-9115; and personal e-mail address is dewpdx@gmail.com. Williams' last recorded business street address is Quality Adjusting, Inc., 6787 SW Firlock Way Apartment 3, Portland, OR 97223-7961; business mailing address is Quality Adjusting, Inc., 6663 SW Beaverton Hillsdale Highway PMB 185, Portland, OR

97225-1403; telephone number is 503-928-9115; and business e-mail address is dave@qualityadjustinginc.com.

Failed to Notify Director of Change of Address or Telephone Number

Williams is subject to enforcement action pursuant to ORS 744.028(1) because of the following circumstances. ORS 744.028(1) requires a person licensed in Oregon as an insurance adjuster to notify the director of a change in residence or business address or telephone number not later than the 30th day after the date of the change. Sometime in early 2012, Williams changed his residence telephone number from 503-679-8488 to 503-928-9115. Williams was required to notify the director of this change of residence telephone number by at least 3/1/12. On or about 4/1/12, Williams changed his residence address from 7100 SW Newton Place, Portland, OR 97225-2047 to 6787 SW Firlock Way Apartment 3, Portland, OR 97223-7961. Williams was required to notify the director of this change of residence address by at least 5/1/12. Sometime in September 2012, Williams changed his business mailing address from 8630 SW Scholls Ferry Road Suite 121, Beaverton, OR 97008-6621 to 6663 SW Beaverton Hillsdale Highway PMB 185, Portland, OR 97225-1403. Williams was required to notify the director of this change of business address by at least 10/31/12. On 1/15/13, Williams notified the director of the change of these addresses and telephone number but only after the director mailed to Williams a letter dated 12/6/12 asking some questions about William's past and current residence and business addresses and telephone numbers, but when Williams did not respond to the letter, and the director mailed to Williams a notice of proposed action dated 1/4/13 informing Williams that the director proposed to revoke Williams' Oregon individual insurance adjuster license.

Failed to Timely Respond to Director's Inquiry

Williams 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 12/6/12, the director mailed by first class and certified mail a letter dated 12/6/12 to Williams at his last recorded

residence address of 7100 SW Newton Place, Portland, OR 97225-2047; and last recorded business address of Mercury Adjusting Services, Inc., 8630 SW Scholls Ferry Road Suite 121, Beaverton, OR 97008-6621. The director also mailed the letter to Williams at Quality Adjusting, Inc., 6663 SW Beaverton Hillsdale Highway Suite 185, Portland, OR 97225-1403; and 6787 SW Firlock Way Apartment 3, Portland, OR 97223-7961. The letter requested Williams to provide certain information to the director by 12/28/12. The letters mailed to the last recorded addresses were returned. On 1/15/13, the director received by e-mail from Williams a letter dated 1/14/13 responding to the director's letter dated 12/6/12, but only after the director mailed to Williams a notice of proposed action dated 1/4/13 informing Williams that the director proposed to revoke Williams' Oregon individual insurance adjuster license.

Action

Pursuant to ORS 731.988(1), Williams is assessed a civil penalty of \$500.00. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered or mailed to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE Room 300, Salem, OR 97301-3880; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be received by the Insurance Division by 4/30/13.

Dated February 26, 2013 /s/ David E. Williams
David E. Williams

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated March 13, 2013 /s/ Louis Savage
Louis Savage
Insurance Commissioner