

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

In the Matter of Pa H. Vue

) **FINAL ORDER**  
) Case No. INS 14-06-002

**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 Pa H. Vue (Vue).

On 6/16/14, the director issued a notice of proposed action pursuant to ORS 183.415 proposing to revoke Vue's Oregon resident individual insurance producer license pursuant to ORS 731.428 and ORS 744.074. On 7/7/14, Vue requested a hearing. On 7/8/14, the director referred this case to the Office of Administrative Hearings to schedule and if necessary conduct a hearing. On 9/19/14, the director filed with OAH a motion for summary determination pursuant to Oregon Administrative Rules (OAR) OAR 137-003-0580. On 8/22/14, OAH scheduled a hearing to be held on 11/25/14. On 10/14/14, OAH issued a proposed order granting the director's motion, cancelling the hearing, and finding that Vue violated the laws as alleged in the notice.

The director did not receive from the party any exceptions to the proposed order.

The director now makes the following final decision in this proceeding.

**Findings of Fact, Conclusions of Law and Opinion**

The director adopts, and incorporates herein by this reference, the findings of fact, conclusions of law, and reasoning of the amended proposed order as the findings of fact, conclusions of law, and reasoning of this final order except as follows.

The proposed order stated, in the opinion section on page six:

Interestingly, the Notice [of Proposed Action dated 6/16/14] contends that Licensee [Vue] committed 'a felony involving dishonesty,'

while the statute as written allows for the Director to act for any felony and for misdemeanors involving dishonesty or a breach of trust. The Division need not show that the felonies for which Licensee was convicted involved dishonesty or a breach of trust under the statute.

The "statute" referred to in the proposed order is ORS 744.074(1)(f). If the director had cited in the notice of proposed action only ORS 744.074(1)(f), then the statement in the proposed order about what the director needed to prove would be correct. However, the director cited in the notice of proposed action both ORS 744.074(1)(f) and ORS 731.428(4). The two laws are similar but not identical. ORS 744.074(1)(f) *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 was convicted of a misdemeanor involving dishonesty or breach of trust, a felony, or an offense punishable by death or imprisonment under the laws of the United States. ORS 731.428(4) *requires* the director to revoke, suspend, or refuse to renew, the Oregon insurance producer license issued to a person who was convicted of, among other things, a felony involving dishonesty or a breach of trust, unless the person applies for and the director grants written consent for the person to participate engage in the business of insurance pursuant to OAR 836-071-0321 *et seq.* OAR 836-071-0321(1) defines a felony involving dishonesty. Thus, the director needed to, and did, present evidence with its motion for summary determination that the felonies that Vue was convicted of involved dishonesty.

Notwithstanding the statement in the proposed order's opinion section, the proposed order correctly stated in the conclusion of law section on page four that "[t]he Division *must* take enforcement action against Licensee for being convicted of crimes involving dishonesty," (emphasis added), and further correctly stated in the opinion section on page six that "it is clear that the crimes for which Licensee was convicted were felonies and involved ... dishonesty...."

**Order**

Pursuant to ORS 731.428(4) and ORS 744.074(1), Vue'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](mailto:mitchel.d.curzon@state.or.us).

Dated NOV 24 2014



Laura N. Cali, FCAS, MAAA  
Insurance Commissioner and Chief Actuary

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DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
INSURANCE DIVISION**

In the Matter of Pa H. Vue

) **CERTIFICATE of**  
) **SERVICE of**  
) **FINAL ORDER**  
) Case No. INS 14-06-002

I certify that I sent the final order to the following person(s) on the date and by the means indicated below:

Pa H. Vue  
9271 SE 282nd Avenue  
Boring, OR 97009-8407

- ✓ US Certified Mail Article No. 7008 3230 0001 1527 9422
- ✓ US First Class Mail
- ✓ E-mail to [magiolor@aol.com](mailto:magiolor@aol.com)
- ✓ E-mail to [pahoua16@ymail.com](mailto:pahoua16@ymail.com)

Pa H. Vue  
First Financial Security, Inc.  
1710 NE 82nd Avenue Suite A2  
Portland, OR 97220-5671

- ✓ US First Class Mail

Dated NOV 24 2014

  
Mitchel D. Curzon  
Chief Enforcement Officer

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