

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

In the Matter of the Application)	STIPULATION and
of Bruce F. Burns)	CONSENT ORDER
for an Oregon Nonresident)	Case No. INS 15-03-009
Insurance Producer's License)	

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), pursuant to the authority set forth in ORS 744.074, and having reviewed the files and records of the Oregon Insurance Division, proposes to make the following:

Findings of Fact:

1. Bruce F. Burns ("Burns") applied for an Oregon Nonresident Insurance Producer's license ("License") on or about February 25, 2015.
2. As part of the application process, Burns completed the NIPR Nonresident Licensing form, which in question No. 2 asks whether the applicant has ever been named or involved as a party in an administrative proceeding. Question No. 2 has an exclusion that allows the applicant to exclude terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.
3. In July 2013, Burns was involved in an administrative proceeding in the Commonwealth of Virginia relating to his selling insurance during a period in which his license had lapsed due to nonpayment of renewal fees. Because the administrative action in Virginia related to Burns' failure to pay his renewal fee, Burns incorrectly determined that the exception in question No. 2 of the NIPR Non-Resident Licensing form applied to the Virginia administrative action when it did not. Burns answered "no" to question No. 2.
4. As part of his application process with Oregon, Burns completed and submitted to the Director an application representing that Burns had not been involved as a party, or named as a party, in an administrative proceeding in any other state.
5. A review of the Director's file revealed that Burns was named in an administrative proceeding in Virginia (as described above), case number INS-2013-00205, accusing Burns of violation of § 38.2-1822A of the Virginia code (transacting insurance business without a license).

6. Burns accepted in writing, by a letter dated September 12, 2013, Virginia's offer to dismiss the proceeding with no admission of liability in exchange for payment of \$500, and that the proceeding was dismissed by a Settlement Order dated November 14, 2013, that recites Burns payment of the \$500 and that he does not admit any liability.
7. Burns did not disclose in his Oregon application for a license that he was named as a party in the Virginia administrative action or that he was the subject of a Settlement Order that recited his agreement to pay \$500 in exchange for dismissal of the action.

Conclusions:

1. Under ORS 731.988(1) the Director may impose a civil penalty upon any individual who violates a provision of the Insurance Code.
2. Under ORS 744.074(1)(a) the Director may refuse to issue a License, or take any other action authorized by the Insurance Code, if an applicant provides incorrect, misleading, incomplete, or materially untrue information in a license application.
3. Accurate information about an applicant's history of administrative actions is material to the Director's decision whether to issue a License.
4. Burns was named in and involved in an administrative proceeding in Virginia in 2013.
5. Burns' indication in his application that he had not been named or involved in an administrative action was incorrect, misleading, incomplete, or materially untrue and would justify denial of his application for a License.
6. Based upon the foregoing, the Director finds it appropriate to issue a License to Burns, contingent upon his payment of a civil penalty of \$500 for providing incorrect, misleading, incomplete, or materially untrue information in a license application.

Stipulation to Order and Civil Penalty:

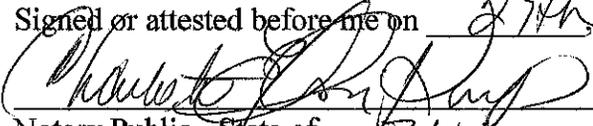
1. Burns stipulates to the foregoing facts and agrees that in consideration of the Director's issuance of a License he will pay a civil penalty of \$500.
2. Burns acknowledges that this Stipulation and Consent Order is an administrative action that the Director will report to the National Association of Insurance Commissioners (NAIC), and further acknowledges that he may be required to report this administrative action to any states in which he holds an insurance license and must disclose this administrative action on any insurance license application.

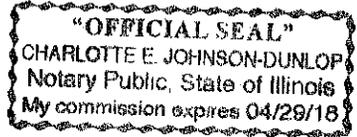
3. The Director hereby stipulates to the foregoing findings and conclusions and imposes a civil penalty of \$500, which is due and payable within 30 days of the entry of this Stipulation and prior to issuance of the License.
4. In further consideration of the Director's issuance of a License, Burns consents to entry of this order, including the civil penalty of \$500, and hereby waives any and all hearing rights as well as any rights to judicial or administrative review of this order.

Dated 4/27/15 
 Bruce F. Burns

State of ILLINOIS
 County of Kane

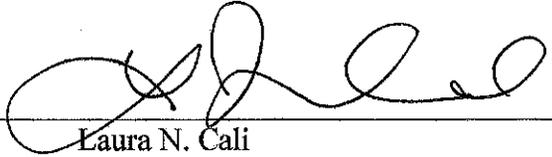
Signed or attested before me on 27th April 2015 by Bruce F. Burns.


 Notary Public - State of Illinois



FINAL ORDER

The Director incorporates the above Findings of Fact, Conclusions of Law, and Stipulation to Order and Civil Penalty, adopts them as the Director's final decision in this proceeding, and orders that the actions stated therein be taken.

Dated 5/14/15 
 Laura N. Cali
 Oregon Insurance Commissioner
 for the Director, Department of Consumer
 and Business Services