

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of the Application)	STIPULATION and
of Daniel V. Kraus for an)	CONSENT ORDER
Oregon Resident Insurance)	Case No. INS 15-06-047
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, proposed to make the following:

Findings of Fact:

1. Daniel V. Kraus ("Kraus") applied for an Oregon Resident Insurance Producer's License ("License") on June 12, 2015.
2. As part of the application process, Kraus completed and submitted to the Director a License application form. In response to a question on that form asking whether Kraus has ever been convicted of a misdemeanor, Kraus answered "No."
3. Kraus' background check revealed that Kraus was convicted of three misdemeanors in Oregon: two in 1989 and one in 1996.
4. On November 6, 1989 in the District Court of the State of Oregon for Tillamook County, Kraus was convicted of misdemeanor Theft 2nd Degree and misdemeanor Criminal Mischief 2nd Degree. Case No. 895477.
5. On October 21, 1996 in the District Court of the State of Oregon for Tillamook County, Kraus was convicted of misdemeanor Taking Doe Deer During Closed Season. Case No. 966343.

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 criminal history is material to the Director's decision whether to issue a License.
4. Kraus' statement in his application that Kraus has not been convicted of a misdemeanor was incorrect, misleading, incomplete or materially untrue.
5. Based on the foregoing, the Director finds it appropriate to issue a License to Kraus, contingent upon a 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:

Kraus stipulates to the foregoing facts and conclusions and agrees that it will pay a civil penalty of \$500.

Kraus 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 it may be required to report this administrative action to any states in which it holds an insurance license and must disclose this administrative action on any insurance license application.

The Director hereby imposes a civil penalty of \$500, which is due and payable within 30 days of the final execution of this Stipulation, and directs that Kraus is issued a License upon execution of this stipulation by all parties and after payment of the civil penalty.

In further consideration of the Director's issuance of a License, Kraus 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.

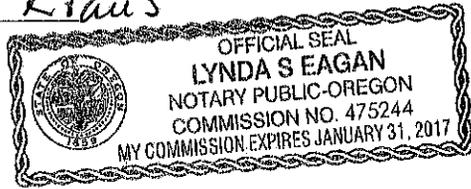
Dated 8.6.15


Daniel V. Kraus

State of Oregon
County of Tillamook

Signed or attested before me on 8-6, 2015 by Daniel V. Kraus

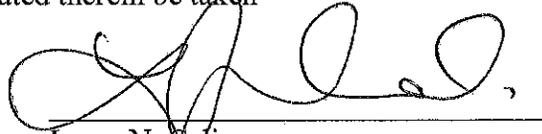

Notary Public - State of Oregon



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 8/11/15



Laura N. Cali
Oregon Insurance Commissioner
for the Director, Department of Consumer
and Business Services