

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of:

Case No. INS-16-0018

STEVEN D. CHAMBERLAIN,

Respondent.

ORDER TO CEASE AND DESIST,
FINAL ORDER ASSESSING CIVIL
PENALTY AND CONSENT TO
ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), acting in accordance with ORS chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 (“Insurance Code”), has conducted an investigation into Steven D. Chamberlain (“Chamberlain”) as related to his role as Designated Responsible Licensed Producer of Chamberlain Insurance Agency (“CIA”).

Chamberlain wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signature(s) subscribed on this Order, Chamberlain hereby CONSENTS to entry of this Order.

FINDINGS OF FACT

The Director FINDS that:

1. Chamberlain has an Oregon Resident Insurance License (“License”).
2. Chamberlain is the Designated Responsible Licensed Producer of CIA.
3. It was discovered that CIA’s records were not maintained in a way that allowed for an adequate audit trail as required by OAR 836-074-00045(5), which requires that the recordkeeping system used by the insurance producer must provide an audit trail so that details underlying the summary data may be identified and made available upon request.

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1 CONCLUSIONS OF LAW

2 The Director CONCLUDES that:

3 4. Chamberlain violated OAR 836-074-00045(5) by not maintaining records in a
4 way that allowed for an adequate audit trial.

5 5. Under ORS 744.074(1)(b), the Director may place a licensee on probation or
6 suspend, revoke or refuse to issue or renew an insurance producer license and may take
7 other actions authorized by the Insurance Code for anyone violating any insurance laws,
8 or violating any rule.

9 6. Under ORS 731.988(1) the Director may impose a civil penalty upon any
10 individual who violates a provision of the Insurance Code.

11 ORDERS

12 Now therefore, the Director issues the following Orders:

13 7. As authorized by ORS 731.252(1), the Director Orders Chamberlain to
14 CEASE AND DESIST from violating any provision of the Oregon Insurance Code or the
15 administrative rules promulgated thereunder.

16 8. Based upon the foregoing and in accordance with ORS 731.988(1), the
17 Director ORDERS Chamberlain to pay a CIVIL PENALTY of \$1000 for failing to
18 maintain records in a way that allowed for an adequate audit trial.

19 9. The Director agrees to SUSPEND the collection of \$500 of the \$1000 CIVIL
20 PENALTY assessed herein, upon the condition that Chamberlain provides a detail
21 description of the policies and procedures to assure compliance with OAR 836-074-
22 0045(5), complies with all terms and conditions set out in this Order and commits no new
23 violations of the Oregon Insurance Law or any administrative rules adopted thereunder.

24 10. If Chamberlain complies with all of the terms and conditions set out in this
25 Order and commits no violations of the Oregon Insurance Law during the three (3) year
26 period from the date of issuance of this Order, the Director hereby agrees to WAIVE the

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1 \$500 suspended CIVIL PENALTY.

2 11. The Director reserves the right to immediately assess and collect the \$500
3 suspended CIVIL PENALTY upon a determination that Chamberlain has violated any
4 term of this Order.

5 12. The remaining portion of the CIVIL PENALTY assessed against Chamberlain
6 in the amount of \$500 (five hundred dollars) is due and payable to the Department of
7 Consumer and Business Services at the time this Order is returned to the Division.

8 13. This ORDER is a Final Order under ORS 183.310(6)(b). Subject to that
9 provision, the entry of this Order does not limit other remedies that may be available to
10 the Director under Oregon law.

11
12 SO ORDERED this 17th day of March, 2016.

13 PATRICK M. ALLEN, Director
14 Department of Consumer and Business Services

15 /s/ David Tatman
16 David C. Tatman, Chief of Enforcement
17 Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Steven D. Chamberlain, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Insurance Code by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Steven D. Chamberlain

Signature

State of Oregon

County of Multnomah

Signed or attested before me on this 3 day of March, 2016

by Steven D. Chamberlain

/s/ Richard J Sohler

Notary Public

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