

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

In the Matter of:

Case No. INS 15-07-014

BARBARA A. LUPTOWSKI,

FINAL ORDER

Licensee.

On September 25, 2015, the Director of the Oregon Department of Consumer and Business Services (“Director”), by and through the Insurance Division, now known as the Division of Financial Regulation (“Division”), properly served notice (“Notice”) on Barbara A. Luptowski (“Licensee”) that the Director intended to issue an order revoking Licensee’s resident insurance producer license.

The Notice offered Licensee an opportunity for hearing if requested within 21 days of service of the Notice. The Notice further informed Licensee that if a hearing was not conducted because Licensee did not timely request a hearing or otherwise defaulted, then the designated portion of the Division’s file and all materials submitted by Licensee in this case would automatically become part of the contested case record for the purpose of proving a prima facie case.

The Director did not receive from Licensee a request for a hearing and did not conduct a hearing.

The Director finds that the record of this proceeding proves a prima facie case.

NOW THEREFORE, after considering the relevant portions of the Division’s file relating to this matter, the Director finds and orders as follows.

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350 Winter Street NE, Suite 410
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Telephone: (503) 378-4387



1 FINDINGS OF FACT

2 1. Licensee has been licensed as an Oregon resident insurance producer since
3 January 1, 2015. Her NAIC national producer number is 6242877.

4 2. On January 2, 2015, the Division received notice that Licensee was terminated
5 for cause from AAA Insurance Agency (“AAA”). AAA informed the Division that
6 Licensee’s termination came after an internal investigation of Licensee was conducted by
7 AAA.

8 3. During the investigation, Licensee admitted that she neglected to remove
9 coverage from an active automobile policy after a request to do so from the policyholder.
10 Licensee also admitted she had taken a photocopy of the insured’s signature from another
11 document and included it on an Automobile Policy Change Form.

12 4. On April 20, 2015, the Division sent inquiry letters to Licensee requesting
13 information regarding the circumstances surrounding her termination from AAA.

14 5. On May 8, 2015, the Division received a response from Licensee in which she
15 admitted to repurposing an insured’s signature.

16 6. On May 11, 2015, the Division sent Licensee another inquiry letter requesting
17 more detailed information regarding the circumstances surrounding her termination from
18 AAA.

19 7. On May 19, 2015, the Division received a response from Licensee in which
20 she admitted that she copied the insured’s signature from an old Coverage Authorization
21 Form and used that signature on a new Automobile Policy Change Form without the
22 insured’s permission or direction.

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24 CONCLUSION OF LAW

25 8. Under ORS 744.074(1)(k), the Director may revoke an insurance producer
26 license if the licensee forges another person’s name to an application for insurance or to

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1 any document related to an insurance transaction.

2 9. The Director may revoke Licensee's resident insurance producer license
3 because Licensee admitted to forging the name of another person on an Automobile
4 Policy Change Form.

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ORDER

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Now therefore, the Director issues the following Orders:

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10. As authorized by ORS 731.252(1), the Director ORDERS Licensee to CEASE
9 AND DESIST from violating any provision of the Insurance Code or the administrative
10 rules promulgated thereunder.

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11. As authorized by ORS 744.074(1)(k), the Director hereby REVOKES
Licensee's Oregon resident insurance producer license.

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12. This Order is a Final Order under ORS 183.310(6)(b). Subject to that
provision, the entry of this Order does not limit other remedies, sanctions, or actions
which may be available to the Director under Oregon Law.

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SO ORDERED this 17th day of March, 2016.

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

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/s/ David Tatman

David C. Tatman, Chief of Enforcement
Division of Financial Regulation

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NOTICE OF RIGHT TO JUDICIAL APPEAL

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You are entitled to judicial review of this order in accordance with ORS 183.482.

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You may request judicial review by filing a petition with the Court of Appeals in Salem,

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Oregon, within 60 days from the date this order is served.

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