

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

In the Matter of:

Case No. INS-16-0040

MICHAEL TODD HINCHLIFFE,  
  
Applicant.

ORDER TO CEASE AND DESIST,  
FINAL ORDER TO ISSUE LICENSE,  
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 Oregon Revised Statutes (“ORS”) chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 (“Insurance Code”) and specifically ORS 744.074, has conducted an investigation into the Resident Insurance Producer License application of Michael Todd Hinchliffe (“Applicant”).

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

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

FINDINGS OF FACT

The Director FINDS that:

1. Applicant applied for renewal of his Oregon Resident Insurance Producer License (“License”) on or around December 16, 2015.
2. As part of the application process, Applicant completed and submitted to the Division of Financial Regulation (“Division”), formerly the Insurance Division, an application form indicating that he had never been named or involved as a party in an

Division of Financial Regulation  
Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
Telephone: (503) 378-4387



1 administrative proceeding.

2 3. During review of the application, the Division learned that Applicant was  
3 subject to a FINRA administrative action effective June 23, 2015 resulting in the  
4 revocation of Applicant's license. This action was taken by FINRA as a result of  
5 Applicant's failure to pay a \$5,000 fine in FINRA case file #2005002008601.

6 4. After the application was filed, and the prior administrative proceeding was  
7 discovered, Applicant admitted to being the subject of that proceeding.

8  
9 **CONCLUSIONS OF LAW**

10 The Director CONCLUDES that:

11 5. Accurate information about an applicant's history of administrative  
12 proceedings is material to the Director's decision whether to issue a License.

13 6. Applicant's representation in his application that he had not been named or  
14 involved as a party in an administrative proceeding was incorrect, misleading, incomplete  
15 or materially untrue.

16 7. Under ORS 731.260, no person shall file with the Director any application  
17 known to be false or misleading.

18 8. Under ORS 744.074(1)(a), the Director may refuse to issue an insurance  
19 producer license and may take other actions authorized by the Insurance Code in lieu  
20 thereof or in addition thereto, if an applicant provides incorrect, misleading, incomplete  
21 or materially untrue information in the license application.

22 9. Under ORS 731.988(1) the Director may impose a civil penalty of up to  
23 \$1,000 per violation upon any individual who violates a provision of the Insurance Code.

24  
25 **ORDERS**

26 Now therefore, the Director issues the following Orders:



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

4       11. Based upon the foregoing and in accordance with ORS 731.988(1), the  
5 Director ORDERS that a Resident Insurance Producer License be issued to Applicant,  
6 subject to a CIVIL PENALTY of \$250 for providing incorrect, misleading, incomplete or  
7 materially untrue information in a license application.

8       12. The CIVIL PENALTY assessed herein is due and payable at the time this  
9 Order is returned to the Division.

10               SO ORDERED this 21<sup>st</sup> day of March, 2016.

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

13   /s/ David Tatman  
14                               David C. Tatman, Chief of Enforcement  
15                               Division of Financial Regulation

16                               *[The remainder of this page intentionally left blank.]*

17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Division of Financial Regulation  
Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
Telephone: (503) 378-4387



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

CONSENT TO ENTRY OF ORDER

I, Michael Todd Hinchliffe, 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 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/ Michael Todd Hinchliffe

Signature

State of Oregon

County of Multnomah

Signed or attested before me on this 12<sup>th</sup> day of March, 2016

by Michael Todd Hinchliffe.

/s/ Treena Kay Surratt

Notary Public

Division of Financial Regulation  
Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
Telephone: (503) 378-4387

