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2 STATE OF OREGON
3 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
4 DIVISION OF FINANCIAL REGULATION

5 In the Matter of:

Case No. INS 15-08-024

6 HEATHER PARKS,

7 Applicant.

8
9 FINAL ORDER TO CEASE AND
10 DESIST AND ORDER DENYING
11 LICENSE, ENTERED BY DEFAULT

12 On or about November 6, 2015, the Director of the Oregon Department of
13 Consumer and Business Services (“Director”), by and through the Division of Financial
14 Regulation (“Division”), formerly the Insurance Division, properly served notice on
15 Heather Parks (“Applicant”) that the Director intended to deny Applicant’s Oregon Non-
16 Resident Insurance Producer License application.

17 The Notice offered Applicant an opportunity for hearing if requested within 60
18 days of service of the notice. The Notice further informed Applicant that if a hearing was
19 not conducted because Applicant did not timely request a hearing or otherwise defaulted,
20 then the designated portion of the Director’s file and all materials submitted by Applicant
21 in this case would automatically become part of the contested case record for the purpose
22 of proving a *prima facie* case.

23 The Director did not receive from Applicant a request for a hearing and did not
24 conduct a hearing.

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

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

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Telephone: (503) 378-4387



1 FINDINGS OF FACT

2 1. Applicant applied for an Oregon Non-Resident Insurance Producer’s License
3 (“License”) on or about August 18, 2015. Applicant’s National Producer Number is
4 16303474.

5 2. As part of the application process, Applicant completed and submitted to the
6 Insurance Division, now known as the Division of Financial Regulation (“Division”), an
7 application form indicating that she had been involved in a single administrative action in
8 Wisconsin.

9 3. NAIC records showed that Applicant’s producer license has been revoked in
10 six states¹ for reasons including failing to report other state actions, failing to maintain
11 home state licensure, and failing to respond to inquiries.

12 4. Applicant was denied² for licenses in two other states based on her failure to
13 report other state actions, criminal history, and demonstrated lack of fitness or
14 trustworthiness (South Dakota) and failure to make required disclosure on application
15 (Wisconsin).

16 5. Each license revocation, and each license denial, constituted an administrative
17 action in which Applicant was involved.

18
19 CONCLUSION OF LAW

20 6. Accurate information about Applicant’s history of administrative action is
21 material to the Director’s decision whether to issue a License.

22 7. Applicant’s representation in her application that she had only been named or
23 involved once as a party in an administrative proceeding was incorrect, misleading,
24

25 ¹ West Virginia (5/21/14), Washington (5/22/14), Delaware (4/25/14), Louisiana
26 (2/05/14), Virginia (7/26/13), Utah (8/14/12).

² South Dakota (1/22/13) and Wisconsin (11/19/12).

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1 incomplete or materially untrue.

2 8. Under ORS 744.074(1)(i), the Director has the authority to deny a license
3 application if the applicant's producer license has been cancelled, revoked, or suspended
4 by another state.

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

9
10 **ORDER**

11 Now therefore, the Director issues the following Orders:

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

15 11. The Director, pursuant to ORS 744.074(1)(a), hereby DENIES Applicant's
16 application for a Non-Resident Insurance Producer License.

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

20
21 SO ORDERED this 21st day of March, 2016.

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

24
25 /s/ David Tatman
26 David C. Tatman, Chief of Enforcement
Division of Financial Regulation

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NOTICE OF RIGHT TO JUDICIAL APPEAL

You are entitled to judicial review of this order in accordance with ORS 183.482.
You may request judicial review by filing a petition with the Court of Appeals in Salem,
Oregon, within 60 days from the date this order is served.

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