

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

In the Matter of:

MARK J. VANA,

Applicant.

Case No. INS 15-06-038

FINAL ORDER TO CEASE AND
DESIST AND ORDER DENYING
LICENSE, ENTERED BY DEFAULT

On August 3, 2015, the Director of the Oregon Department of Consumer and Business Services (“Director”), by and through the Division of Financial Regulation (“Division”), formerly the Insurance Division, properly served notice on Mark Vana (“Applicant”) that the Director intended to deny Applicant’s Oregon Non-Resident Insurance Producer License application.

The Notice offered Applicant an opportunity for hearing if requested within 60 days of service of the notice. The Notice further informed Applicant that if a hearing was not conducted because Applicant did not timely request a hearing or otherwise defaulted, then the designated portion of the Director’s file and all materials submitted by Applicant 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 Applicant 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 Director’s file relating to this matter, the Director finds and orders as follows.

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
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1 FINDINGS OF FACT

2 1. Applicant applied for an Oregon Non-Resident Insurance Producer’s License
3 (“License”) on or about May 8, 2015. Applicant’s National Producer Number is
4 16138484.

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 he had never been subject to administrative action.

8 3. During review of the application, the Division learned that Applicant was
9 subject to administrative action in Wisconsin in 2012.

10 4. On or about January 9, 2012, Applicant was denied a permanent individual
11 intermediary agent’s surplus lines insurance license by the State of Wisconsin Office of
12 the Commissioner of Insurance. The application was denied because Applicant did not
13 provide proof of licensing in his resident state. Applicant was also denied because he
14 failed to respond promptly to written requests for information from the Wisconsin
15 Commissioner of Insurance regarding his application.

16 5. On May 15, 2015, Division investigators contacted Applicant to inquire about
17 the inaccurate application and to inform Applicant that his application would be
18 incomplete until he provides documents regarding the Wisconsin administrative
19 proceeding as required by the License application. The letter requested that Applicant
20 respond by June 5, 2015. Applicant has not responded.

21 CONCLUSION OF LAW

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

24 7. Applicant’s representation in his application that he had never been named or
25 involved as a party in an administrative proceeding was incorrect, misleading, incomplete
26 or materially untrue.

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