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

6 In the Matter of:

Case No. INS-16-0136

7 JAMES A. SANDERS,

8 Applicant.

9 FINAL ORDER TO CEASE AND
10 DESIST AND ORDER DENYING
11 APPLICATION, ENTERED BY
12 DEFAULT

13 On March 15, 2016, the Director of the Department of Consumer and Business
14 Services (“Director”), by and through the Division of Financial Regulation (“Division”),
15 properly served Notice on James Sanders (“Applicant”) that the Director intended to
16 refuse to issue Applicant’s Non-resident Insurance Producer License.

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

FINDINGS OF FACT

The Director FINDS that:

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350 Winter Street NE, Suite 410
Salem, OR 97301-3881
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1 was incorrect, misleading, incomplete or materially untrue.

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

6 9. Applicant's failure to timely respond to the Division's request for information
7 to complete the Applicant's application has resulted in the application being incomplete.

8
9 **ORDER**

10 Now therefore, the Director issues the following Orders:

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

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

16 SO ORDERED this 20th day of May, 2016 in Salem,
17 Oregon.

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

20 /s/ David Tatman
21 David C. Tatman, Chief of Enforcement
22 Division of Financial Regulation

23 **NOTICE OF RIGHT TO JUDICIAL APPEAL**

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

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