

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

In the Matter of:

Case No. INS-16-0133

CORINA M. RIVERA,

Applicant.

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

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

The Notice offered Applicant an opportunity for a hearing, if requested within 60 days. 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.

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:

1. Applicant applied for a Non-Resident Insurance Producer License (“License”)

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Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
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1 on or around September 9, 2015. Applicant’s national producer number is 7369822.

2 2. As part of the application process, Applicant completed and submitted to the
3 Division of Financial Regulation (“Division”), formerly the Insurance Division, an
4 application form indicating that she had never been named or involved as a party in an
5 administrative proceeding.

6 3. During review of the application, the Division learned that Applicant was
7 involved in administrative proceedings in Arizona in 2003, for demonstrating lack of
8 fitness or trustworthiness, resulting in license revocation.

9 4. On September 24, 2015, the Division sent a letter to Applicant requesting a
10 copy of the Arizona administrative order and an explanation surrounding the incident.
11 The Division set a response deadline of October 23, 2015. Applicant did not respond to
12 the Division’s request.

13 **CONCLUSIONS OF LAW**

14 The Director CONCLUDES that:

15 5. Accurate information about Applicant’s history of administrative action is
16 material to the Director’s decision whether to issue a License.

17 6. Applicant’s representation in her application that she had never been named or
18 involved as a party in an administrative proceeding was incorrect, misleading, incomplete
19 or materially untrue.

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

24 8. Applicant’s failure to timely respond to the Division’s request for information
25 to complete the Applicant’s application has resulted in the application being incomplete.
26

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1 ORDER

2 Now therefore, the Director issues the following Orders:

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

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

8
9 SO ORDERED this 23rd day of May, 2016 in Salem,
10 Oregon.

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

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

17 NOTICE OF RIGHT TO JUDICIAL APPEAL

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

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