

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

In the Matter of:

Case No. INS-16-0042

NANCY ELLEN-LAFRANTZ
HARTMANN,

Applicant.

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

On March 24, 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 NANCY ELLEN-LAFRANTZ HARTMANN, (“Applicant”) that the Director intended to refuse to issue Applicant’s Non-resident Adjuster 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:

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



1 1. Applicant has applied for a Non-Resident Adjuster License (“License”).
2 Applicant’s national producer number is 114476.

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

7 3. During review of the application, the Division learned that Applicant was
8 subject to administrative action in Florida on November 21, 1994.

9 4. On August 6, 2015, the Division sent a letter to Applicant requesting a copy of
10 the Florida administrative order and an explanation surrounding the incident. The
11 Division set a response deadline of August 17, 2015. Applicant provided the requested
12 information to the Division.

13 5. The Division offered to issue the License subject to a civil penalty. Applicant
14 explicitly or through lack of a response declined the issuance subject to a civil penalty.

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CONCLUSIONS OF LAW

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The Director CONCLUDES that:

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

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

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8. Under ORS 744.013(1)(b) and ORS 744.013(2)(b), the Director may refuse to
issue an adjuster license on the grounds of falsification by the applicant of the application
for the license or engagement in any dishonest act in relation to the application.

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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 744.013(1)(b) and ORS 744.013(2)(b), hereby
7 DENIES Applicant's application for a Non-resident Adjuster License.

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9 SO ORDERED this 2nd day of June, 2016 in Salem,
10 Oregon.

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

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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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