

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

In the Matter of:

Case No. INS-16-0178

CHARLES ROBERT KOLESAR,
Applicant.

ORDER TO CEASE AND DESIST,
FINAL ORDER TO ISSUE LICENSE,
FINAL ORDER ASSESSING CIVIL
PENALTY AND CONSENT TO
ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), acting in accordance with Oregon Revised Statutes (“ORS”) chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 (“Insurance Code”) and specifically ORS 744.074, has conducted an investigation into the Non-Resident Insurance Producer License application of Charles Robert Kolesar (“Applicant”).

Applicant wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signature(s) subscribed on this Order, Applicant hereby CONSENTS to entry of this Order.

FINDINGS OF FACT

The Director FINDS that:

1. Applicant has applied for a Non-Resident Insurance Producer License (“License”). Applicant’s national producer license number is 1632736.
2. As part of the application process, Applicant completed and submitted to the Division of Financial Regulation (“Division”) an application form indicating that he had been subject to administrative action.

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



1 3. Applicant attached documentation of his FINRA administrative action to the
2 application.

3 4. During review of the application, the Division learned that Applicant was also
4 subject to administrative actions in California in 2004 and 2009, and Massachusetts in
5 2005.

6 5. After the application was filed, and the additional administrative actions were
7 discovered, Applicant admitted to being the subject of those actions.

8 CONCLUSIONS OF LAW

9 The Director CONCLUDES that:

10 6. Accurate information about an applicant's history of administrative action is
11 material to the Director's decision whether to issue a License.

12 7. Applicant's failure to attach documentation regarding all prior administrative
13 actions caused their application to be incorrect, misleading, incomplete, or materially
14 untrue.

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

19 9. Under ORS 731.988(1) the Director may impose a civil penalty of up to
20 \$1,000 per violation upon any individual who violates a provision of the Insurance Code.

21 ORDERS

22 Now therefore, the Director issues the following Orders:

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

26 11. Based upon the foregoing and in accordance with ORS 731.988(1), the



1 Director ORDERS that a Non-Resident Insurance Producer License be issued to
2 Applicant, subject to a CIVIL PENALTY of \$500 for providing incorrect, misleading,
3 incomplete, or materially untrue information in a license application.

4 12. The CIVIL PENALTY assessed herein is due and payable at the time this
5 Order is returned to the Division.

6 SO ORDERED this 27th day of June, 2016.

7 PATRICK M. ALLEN, Director
8 Department of Consumer and Business Services

9
10 /s/ David Tatman
11 David C. Tatman, Chief of Enforcement
12 Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Charles Robert Kolesar, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Insurance Code by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/c/ Charles Kolesar

Signature

State of Arizona

County of Maricopa

Signed or attested before me on this 7th day of June, 2016

by Charles Robert Kolesar.

/s/ Laurie L Coulter

Notary Public

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