

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

In the Matter of:

Case No. INS-16-0123

WHITNEY A. MARTIN,

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 the 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 resident insurance producer license application of Whitney A. Martin (“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 applied for an Oregon resident insurance producer license (“License”) on August 10, 2015.
2. As part of the application process, Applicant completed and submitted to the Insurance Division, now known as the Division of Financial Regulation (“Division”), an application form indicating that she had never been convicted of misdemeanor.
3. During review of the application, the Division learned that Applicant was

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



1 convicted of second degree theft, a misdemeanor, in Washington County Circuit Court,  
2 Case No. D083932M, on September 24, 2008.

3 4. After the application was filed, and the prior criminal conviction was  
4 discovered, Applicant admitted to being the subject of that conviction.

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6 **CONCLUSIONS OF LAW**

7 The Director CONCLUDES that:

8 5. Accurate information about an applicant's history of criminal conviction is  
9 material to the Director's decision whether to issue a License.

10 6. Applicant's representation in her application that she had not been convicted  
11 of a misdemeanor was incorrect, misleading, incomplete or materially untrue.

12 7. Under ORS 731.260, no person shall file with the Director any application  
13 known to be false or misleading.

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

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

20  
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

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1 Director ORDERS that a resident insurance producer license be issued to Applicant,  
2 subject to a CIVIL PENALTY of \$250 for providing false or misleading information in a  
3 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 29<sup>th</sup> 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, Whitney Martin, 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.

/s/ Whitney Martin

Signature

State of Oregon

County of Yamhill

Signed or attested before me on this 21<sup>st</sup> day of June, 2016

by Whitney Martin.

/s/ Ashly Nicole Miller

Notary Public

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