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

4 In the Matter of:

Case No. INS-16-0062

5 ANITA MANNING,

6 Applicant.

7  
8 FINAL ORDER TO CEASE AND  
9 DESIST AND ORDER DENYING  
10 LICENSE APPLICATION, ENTERED  
11 BY DEFAULT

12 On May 24, 2016, the Director of the Department of Consumer and Business  
13 Services (“Director”), by and through the Division of Financial Regulation (“Division”),  
14 formerly the Insurance Division, properly served notice (“Notice”) on Anita Manning  
15 (“Applicant”) that the Director intended to issue an order denying Applicant’s  
16 nonresident insurance producer license application.

17 The Notice offered Applicant an opportunity for a hearing if requested within 60  
18 days of service of the Notice. The Notice further informed Applicant that if a hearing  
19 was not conducted because Applicant did not timely request a hearing or otherwise  
20 defaulted, then the designated portion of the Division’s file and all materials submitted by  
21 Applicant in this case would automatically become part of the contested case record for  
22 the purpose of proving a 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 Now, therefore, after considering the relevant portions of the Division’s file  
relating to this matter, the Director finds and orders as follows.

FINDINGS OF FACT

The Director FINDS that:

1. Applicant applied for an Oregon nonresident insurance producer license

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





1 (“License”) on or around September 15, 2015. Applicant’s national producer number is  
2 8846783.

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

6 3. During review of the application, the Division learned that Applicant was  
7 involved in a Pennsylvania administrative proceeding, Docket No. CO13-05-022, on June  
8 13, 2013.

9 4. After the application was filed, and the prior administrative action was  
10 discovered, Applicant admitted to being the subject of the Pennsylvania administrative  
11 proceeding and provided details surrounding the incident.

12 5. On February 26, 2016, the Division offered by means of a Consent Order to  
13 issue the License subject to a civil penalty. Applicant, through lack of response, declined  
14 the issuance of her License subject to a civil penalty.

15 6. On May 24, 2016, the Division properly served notice on Applicant that the  
16 Director intended to deny Applicant’s nonresident insurance producer license application.  
17 Applicant had 60 days to timely request a hearing. The Division did not receive a request  
18 for hearing from Applicant.

### 19 CONCLUSIONS OF LAW

20 The Director CONCLUDES that:

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

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

26 9. Under ORS 744.074(1)(a), the Director may refuse to issue an insurance

1 producer license and may take other actions authorized by the Insurance Code in lieu  
2 thereof or in addition thereto, if an applicant provides incorrect, misleading, incomplete  
3 or materially untrue information in the license application.

4 ORDERS

5 Now, therefore, the Director issues the following Orders:

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

9 11. The Director, pursuant to ORS 744.074(1)(a), hereby DENIES Applicant's  
10 application for a nonresident insurance producer license.

11 SO ORDERED this 5<sup>th</sup> day of August, 2016.

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

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

18 NOTICE OF RIGHT TO JUDICIAL APPEAL

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

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