

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

In the Matter of:

Case No. INS-16-0275

CLAYMONTE A. MCNEILL,

Licensee.

FINAL ORDER TO CEASE AND
DESIST AND ORDER REVOKING
LICENSE, ENTERED BY DEFAULT

On June 22, 2016, the Director of the Department of Consumer and Business Services (“Director”), by and through the Division of Financial Regulation (“Division”), properly served notice (“Notice”) on Claymonte A. McNeill (“Licensee”) that the Director intended to issue an order revoking Licensee’s nonresident insurance producer license.

The Notice offered Licensee an opportunity for a hearing if requested within 20 days of service of the Notice. The Notice further informed Licensee that if a hearing was not conducted because Licensee did not timely request a hearing or otherwise defaulted, then the designated portion of the Division’s file and all materials submitted by Licensee 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 Licensee 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.

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. Licensee has been a licensed nonresident individual insurance producer since

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1 around March 20, 2014. Licensee's national producer number is 12792015.

2 2. Administrative action has been taken against Licensee in other jurisdictions as
3 follows:

4 A. On or around September 23, 2014, the Washington Insurance Commissioner
5 issued an Order Revoking License against Licensee, No. 14-0186, revoking Licensee's
6 Washington license.

7 B. On or around October 15, 2014, the Kentucky Department of Insurance issued
8 an Order of Revocation against Licensee, File No. 2014-0191, revoking Licensee's
9 Kentucky license.

10 C. On or around April 7, 2015, the Idaho Department of Insurance issued an
11 Order of Default Revoking Non-Resident Producer License against Licensee, Docket
12 No. 18-3011-15, revoking Licensee's Idaho license.

13 D. On or around June 5, 2015, the Indiana Commissioner of Insurance issued a
14 Notice of Termination of License against Licensee, Cause No. 14047-IA15-0521-002,
15 cancelling Licensee's Indiana license.

16 E. On or around June 30, 2015, the state of North Carolina accepted Licensee's
17 voluntary surrender of his North Carolina license.

18 F. On or around July 22, 2015, the Vermont Department of Financial Regulation
19 issued a Default Judgment and Order against Licensee, Docket No. 15-013-1, revoking
20 Licensee's Vermont license.

21 G. On or around August 25, 2015, the Delaware Insurance Commissioner issued
22 a Final Decision and Order against Licensee, Case No. 146981, revoking Licensee's
23 Delaware license.

24 H. On or around September 12, 2015, the Georgia Commissioner of Insurance
25 issued an Order of License Suspension against Licensee, Case No. 11014513,
26 suspending Licensee's Georgia license.

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1 I. On or around December 18, 2015, the Minnesota Department of Commerce
2 issued a Findings of Fact, Conclusions of Law and Order against Licensee, File No.
3 35489, revoking Licensee's Minnesota license.

4 J. On or around January 28, 2016, the Wyoming Department of Insurance issued
5 a Default Order against Licensee, Docket No. 15-48, revoking Licensee's Wyoming
6 license.

7 3. As of the date of this Order, Licensee has not reported the abovementioned
8 administrative actions to the Director.

9 4. On or around August 10, 2015, Licensee was convicted of embezzlement, a
10 felony, in North Carolina Superior Court.

11 5. On June 22, 2016, the Division properly served notice on Licensee that the
12 Director intended to revoke Licensee's nonresident insurance producer license. Licensee
13 had 20 days to timely request a hearing. The Division did not receive a request for
14 hearing from Licensee.

15 CONCLUSIONS OF LAW

16 The Director CONCLUDES that:

17 6. Under ORS 731.252(1), whenever the Director has reason to believe that any
18 person has been engaged or is engaging or is about to engage in any violation of the
19 Insurance Code, the Director may issue an order to discontinue or desist from such
20 violation or threatened violation.

21 7. Under ORS 744.089(1), insurance producers must report to the Director any
22 administrative action taken against the insurance producer in another jurisdiction not later
23 than the 30th day after the date of the final disposition of the matter. Licensee violated
24 ORS 744.089(1) by failing to report the abovementioned administrative actions to the
25 Director.

26 8. Under ORS 744.074(1)(b), the Director may revoke an insurance producer



1 license for violating any insurance laws.

2 9. Under ORS 744.074(1)(f), the Director may revoke an insurance producer
3 license for having been convicted of a felony.

4 10. Under ORS 744.074(1)(i), the Director may revoke an insurance producer
5 license for cancellation, revocation, suspension or refusal to renew by any state of a
6 license or other evidence of authority to act as an adjuster or insurance producer or
7 consultant.

8 **ORDERS**

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

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

13 12. Based upon the foregoing and in accordance with ORS 744.074(1)(b), ORS
14 744.074(1)(f) and ORS 744.074(1)(i) the Director hereby REVOKES Licensee's
15 nonresident insurance producer license.

16 SO ORDERED this 5th day of August, 2016.

17
18 PATRICK M. ALLEN, Director
19 Department of Consumer and Business Services

20 /s/ David Tatman
21 David C. Tatman, Chief of Enforcement
22 Division of Financial Regulation

23 **NOTICE OF RIGHT TO JUDICIAL APPEAL**

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

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