

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

In the Matter of:

Case No. INS-16-0315

BUITEN & ASSOCIATES LLC,

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 nonresident insurance producer license renewal application of Buiten & Associates LLC (“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 to renew its nonresident insurance producer license (“License”) on May 23, 2016. Applicant’s national producer number is 958875.
2. As part of the application process, Applicant completed and submitted to the Division of Financial Regulation (“Division”) an application form indicating that it had not been subject to an administrative action, which had not been previously reported to

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



1 the Division.

2 3. During review of the application, the Division learned that Applicant was
3 subject to administrative action, Case No. 40570, in Wisconsin on March 10, 2015, which
4 resulted initially in a denial of a license. The State of Wisconsin eventually reversed their
5 denial decision and issued a license without penalty.

6 4. After the application was filed, and the prior administrative action was
7 discovered, Applicant admitted to being the subject of that action.

8
9 **CONCLUSIONS OF LAW**

10 The Director CONCLUDES that:

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

13 6. Applicant's representation in its application that it had not been subject to
14 administrative action was incorrect, misleading, incomplete or materially untrue.

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

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

21 9. Under ORS 731.988(1) the Director may impose a civil penalty of up to
22 \$1,000 per violation upon any individual who violates a provision of the Insurance Code.

23
24 **ORDERS**

25 Now therefore, the Director issues the following Orders:

26 10. As authorized by ORS 731.252(1), the Director ORDERS Applicant to

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1 CEASE AND DESIST from violating any provision of the Insurance Code or the
2 administrative rules promulgated thereunder.

3 11. Based upon the foregoing and in accordance with ORS 731.988(1), the
4 Director ORDERS that a nonresident insurance producer license be issued to Applicant,
5 subject to a CIVIL PENALTY of \$1000 for providing false or misleading information in
6 a license application.

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

9
10 SO ORDERED this 25th day of August, 2016.

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

13 /s/ David Tatman
14 David C. Tatman, Chief of Enforcement
15 Division of Financial Regulation

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ENTITY CONSENT TO ENTRY OF ORDER

I, Paul S. Buiten, state that I am an officer of Buiten & Associates LLC and I am authorized to act on its behalf. I have read the foregoing order, and I know and fully understand the contents hereof. I have been advised of the right to a hearing and of the right to be represented by counsel in this matter. Buiten & Associates LLC voluntarily and without any force or duress consents to the entry of this order expressly waiving any right to a hearing in this matter Buiten & Associates LLC understands that the Director reserves the right to take further actions to enforce this order or to take appropriate action upon discovery of other violations of the Oregon Insurance Code. Buiten & Associates LLC will fully comply with the terms and conditions stated herein.

Buiten & Associates LLC understands that this order is a public document.

Buiten & Associates LLC

/s/ Paul S. Buiten
Signature

State of Michigan

County of Kent

There appeared before me on this 16th day of August, 2016,

Paul S. Buiten who was first duly sworn on oath, and stated that s/he was and is an officer of Buiten & Associates LLC and that s/he is authorized and empowered to sign this Consent to Entry of Order on behalf of Buiten & Associates LLC and to bind Buiten & Associates LLC to the terms hereof.

/s/ V. Jean Nolf
Notary Public

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