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

In the Matter of:	Case No. INS-21-0048
Shondra W. Broussard Respondent.	FINAL ORDER TO CEASE AND DESIST, DENYING LICENSE APPLICATION, AND REVOKING LICENSE, ENTERED BY DEFAULT

On March 1, 2022, the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), acting by and through the Division of Financial Regulation (the "Division"), and in accordance with Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 743B, 744, 746, 748 and 750 ("Insurance Code"), served an Order to Cease and Desist, Notice of Proposed Denial of License Application, Proposed Revocation of License, and Notice of Right to Administrative Hearing ("Notice") on Respondent Shondra W. Broussard ("Broussard").

The Notice offered Broussard an opportunity for a hearing if requested within 60 days of service of the Notice. The Notice further informed Broussard that if a hearing was not conducted because Broussard did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file and all materials submitted by Broussard 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 Broussard 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

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to this matter, the Director finds and orders as follows.

FINDINGS OF FACT

The Director FINDS that:

1. Broussard is a Louisiana resident with last recorded business address at 3818 Rougon Road, Port Allen, Louisiana 70767.

2. Broussard obtained an Oregon nonresident insurance adjuster license on October 16, 2018, and her national insurance producer number is 18836136.

3. On or around September 20, 2020, the Division received Broussard's nonresident insurance adjuster renewal application.

4. In the renewal application, Broussard answered "yes" to questions regarding whether she had prior misdemeanor and felony convictions, but failed to provide an explanation and documentation required with her response.

5. On September 29, 2020, the Division sent an email to Broussard at the email address on file with the Division, requesting documentation regarding her criminal background in relation to the response provided in her application. Broussard failed to respond.

6. On or around February 2, 2021, the Division received a second renewal application for Broussard. The duplicate application answered "no" to questions regarding whether Broussard had prior criminal history.

7. Because the second renewal application omitted any criminal history information, the application was automatically processed without a manual review, and Broussard was granted a license renewal.

8. On September 2, 2021, the Division attempted to contact Broussard using the email and phone number on file with the Division. Broussard once again failed to respond.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

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

10. ORS 731.296 authorizes the Director of the Department of Consumer and Business Services to "address any proper inquiries to any insurer, licensee or its officers in relation to its activities or condition or any other matter connected with its transactions:" and requires any person so addressed to "promptly and truthfully reply to such inquiries using the form of communication requested by the director." Broussard violated ORS 731.296 by failing to provide required documentation relating to her criminal background, and by failing to respond to the Divisions requests for additional information described in Paragraph 8 above.

11. Pursuant to ORS 744.584(1)(b), a licensee or applicant for a license to engage in business as an adjuster may not falsify or act dishonestly with respect to an application for a license or an amendment to the license or with respect to an examination related to obtaining, renewing or reinstating a license. Broussard acted dishonestly with respect to an application for a nonresident insurance adjuster license when she submitted a second renewal application to the Division and answered "no" to questions regarding criminal background.

12. Pursuant to ORS 744.584(1)(o), a licensee or an applicant for a license to engage in business as an adjuster may not fail to comply with an applicable provision of the Insurance Code. Broussard failed to comply with an applicable provision of the Insurance Code when she didn't reply to the Directors inquiry regarding her application,

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in violation of ORS 731.296.

13. Pursuant to ORS 744.584(2)(a)(B), if a licensee or an applicant for a license to engage in the business as an adjuster engages in an action or practice prohibited under the ORS 744.584(1), the Director may suspend, revoke or refuse to renew a licensee's license. Because Broussard engaged in prohibited actions under ORS 744.584(1)(b) and (o), the Division may revoke and refuse to renew her nonresident insurance adjuster license.

ORDERS

Now therefore, the Director issues the following Orders:

14. As authorized by ORS 731.252(1), the Director ORDERS Broussard to CEASE AND DESIST from violating any provisions of the Insurance Code or the administrative rules promulgated thereunder.

15. The Director, pursuant to ORS 744.584(2)(a)(B), hereby DENIES Broussard's nonresident insurance adjuster license renewal application.

16. The Director, pursuant to ORS 744.584(2)(a)(B), hereby REVOKES Broussard's nonresident insurance adjuster license.

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SO ORDERED this 14th day of May, 2022 in Salem, Oregon.

ANDREW R. STOLFI, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, Chief of Enforcement
Division of Financial Regulation

NOTICE OF RIGHT TO JUDICIAL APPEAL

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

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