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

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| In the Matter of:<br><br>DOMINIC C. GAGLIARDI, an Individual, and GAGLIARDI INSURANCE SERVICES, INC., a Pennsylvania Corporation,<br><br>Respondents. | Case No. INS-21-0036<br><br>ORDER TO CEASE AND DESIST, ORDER TO REVOKE LICENSES, ORDER TO ASSESS CIVIL PENALTIES, 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, 743B, 744, 746, 748 and 750 ("Insurance Code"), conducted an investigation into the activities of Dominic C. Gagliardi ("Gagliardi") and Gagliardi Insurance Services, Inc. ("GIS") (collectively, "Respondents") and determined that Respondents engaged in activities constituting violations of the Insurance Code.

Respondents wish to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the authorized signature subscribed on this Order, Respondents hereby CONSENT to entry of this Order upon the Director's Findings of Fact and Conclusions of Law as stated hereinafter.

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

## FINDINGS OF FACT

The Director FINDS that:

1. On October 6, 1993, Gagliardi was issued an Oregon non-resident insurance producer license ("License").[1] Gagliardi's national producer number is 240344.

[1] Gagliardi's License expired on April 30, 2021.

2. On February 28, 2007, GIS was issued an Oregon License. GIS's national producer number is 2110851.

3. On October 20, 2020, the Idaho Department of Insurance ("DOI") revoked Gagliardi's Idaho insurance producer license.[2]

4. On February 16, 2021, the Idaho DOI revoked GIS's Idaho insurance producer license.[3]

5. Neither Gagliardi nor GIS reported the foregoing revocations to the Director.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

6. By failing to report the revocations of their Idaho licenses to the Director within 30 days of their occurrences, Respondents violated ORS 744.089(1).

7. Because Respondents violated ORS 744.089(1), the Director may revoke their Licenses, pursuant to ORS 744.074(1)(b).

8. Because the Director has reason to believe that Respondents have been engaged, are engaging, or are about to engage in violations of the Insurance Code, the Director may issue an order to Respondents to cease and desist, pursuant to ORS 731.252(1).

9. Under ORS 731.988(1), the Director may impose a civil penalty of up to $10,000 *per violation* upon any person who violates a provision of the Insurance Code.

ORDERS

Now therefore, the Director issues the following Orders:

10. As authorized by ORS 731.252(1), the Director hereby ORDERS Respondents to CEASE AND DESIST from violating ORS 744.089(1).

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[2] The revocation was due to Gagliardi's failure to maintain an insurance producer license in his home state. See Idaho DOI case number 18-3851-20.

[3] The revocation was due to GIS's failure to maintain an insurance producer license in its home state. See Idaho DOI case number 18-3897-21.

11. As authorized by ORS 744.074(1)(b), the Director hereby REVOKES Gagliardi's License.

12. As authorized by ORS 744.074(1)(b), the Director hereby REVOKES GIS's License.

13. As authorized by ORS 731.988(1), the Director hereby ORDERS that Respondents be jointly and severally subject to a CIVIL PENALTY of $2,000 for violating ORS 744.089(1)(b).

14. The Director hereby suspends payment of $2,000 of the CIVIL PENALTY for a period of three years, provided Respondents:

A. Comply with the terms of this Order; and

B. Do not violate the Insurance Code within the three-year time period.

15. The suspended CIVIL PENALTY ($2,000) will be waived three years from the date this Order is finalized, provided Respondents have complied with the foregoing Order terms. The Director reserves the right to immediately assess and collect the suspended civil penalty upon a determination that Respondents have violated any term of this Order.

16. This Order is binding upon Respondents' successors and assigns.

17. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that provision, the entry of this Order does not limit other remedies that are available to the Director under Oregon law.

SO ORDERED this 19th day of August, 2021.

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

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

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## CONSENT TO ENTRY OF ORDER

I, Dominic C. Gagliardi, state that I have read the foregoing Order and that I know and fully understand the contents hereof. I have been advised of my right to a hearing and of my right to be represented by counsel in this matter. 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. 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. I will fully comply with the terms and conditions stated herein.

Signature: /s/ Dominic Gagliardi

State of California

County of Nevada

Signed or attested before me on this 14th day of August, 2021

by Dominic Gagliardi.

/s/ Mark Rose
Notary Public

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CONSENT TO ENTRY OF ORDER

I, Dominic Gagliardi, state that I am an officer of GIS and am authorized to act on its behalf. I have read the foregoing Order and know and fully understand the contents hereof. I have been advised of GIS's right to a hearing and right to be represented by counsel in this matter. GIS voluntarily consents 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. GIS understands that the Director reserves the right to take further actions against it to enforce this Order or to take appropriate action upon discovery of other violations of the Insurance Code with the terms and conditions stated herein.

GIS further assures the Director that neither GIS nor its officers, directors, employees, or agents will effect insurance services in Oregon unless such activities are in full compliance with the Insurance Code. GIS understands that this Consent Order is a public document.

Signature: /s/ Dominic Gagliardi

Position Held: Director

State of California

County of Nevada

Signed or attested before me on this 14th day of August, 2021 by Dominic Gagliardi.

/s/ Mark Rose
Notary Public

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