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

In the Matter of BARBARA ANN HARRIS CALBERT, (NPN#19421907) Respondent.	Case No. INS-22-0093 FINAL ORDER TO CEASE AND DESIST, ORDER ALLOWING SURRENDER OF NONRESIDENT INSURANCE PRODUCER LICENSE, 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"), has conducted an investigation of the nonresident insurance producer license of activities of Barbara Ann Harris Calbert ("Harris Calbert").

Harris Calbert has resolved this matter with the Director by surrendering her Oregon nonresident insurance producer license.

Now, therefore, as evidenced by the signature subscribed herein, Harris Calbert hereby CONSENTS to the entry of this Order.

The Director makes the following Findings of Fact, Conclusions of Law, and Orders.

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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. Harris Calbert is a Texas resident with her last recorded address at 11626 Inga Ln, Houston, TX 77064.

2. On November 2, 2020, Harris Calbert submitted an application with the

Division of Financial Regulation ("Division") for a nonresident insurance producer license. In her application, Harris Calbert falsely answered "no" to questions 1(a) which asked whether she had ever been convicted of a misdemeanor, had a judgment withheld or deferred, or was currently charged with committing a misdemeanor. She also answered "no" to question 1 (b) which asked whether she had ever been convicted of a felony, had a judgment withheld or deferred, or are was currently charged with committing a felony. Harris Calbert failed to identify her convictions for Felony Theft in 1989 and Misdemeanor Criminal Mischief in 2009. Harris Calbert was automatically issued a license based on the false responses.

3. On May 17, 2022, Harris Calbert submitted an application with the Division to add a line of authority to her existing license. In this application she answered "yes" to question 1(a) and 1(b) indicating both felony and misdemeanor convictions in her past.

4. On June 30, 2022, the Division contacted Harris Calbert and directed her to provide an explanation for her false application answers along with documentation of her misdemeanor and felony convictions. She was also informed that her Oregon nonresident license had been made inactive pending investigation into the false answers provided, and warned that without a response by July 29, 2022, the license would be referred to enforcement for revocation.

5. As of September 1, 2022, Harris Calbert has failed to provide all required documentation and a letter of explanation concerning her past felony and misdemeanor convictions.

6. On October 5, 2022, Harris Calbert contacted the Division and requested the ability to voluntarily surrender his nonresident insurance producer license, which the Division granted. As a result, Harris Calbert currently has an inactive insurance producer license in Oregon.

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CONCLUSIONS OF LAW

The Director CONCLUDES that

7. ORS 744.074(1)(a) authorizes the Director to place a licensee on probation or to suspend, revoke or refuse to issue or renew a license for providing incorrect, misleading, incomplete or materially untrue information in the license application. Harris Calbert violated ORS 744.074(1)(a) when she submitted an application with false information regarding her criminal background, thereby authorizing the Director to revoke Harris Calbert's license and deny her May 2022 license application.

8. Under ORS 731.296, the Director may 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. Any such person so addressed shall promptly and truthfully reply to such inquiries using the form of communication requested by the Director. The reply shall be verified by an officer of such person, if the Director so requires. Harris Calbert violated ORS 731.296 when she failed to provide the requested documentation regarding her misdemeanor and felony convictions.

9. ORS 744.074(1)(b) authorizes the Director to place a licensee on probation or to suspend, revoke or refuse to issue or renew a license for violating any insurance laws. Harris Calbert's violation of ORS 731.296 authorizes the Director to revoke Harris Calbert's license and deny her license application, pursuant to ORS 744.074(1)(b).

10. Under 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. Because the Director has reason to believe that Harris Calbert committed the foregoing violations, the Director may issue an order to Harris Calbert to cease and desist, pursuant to ORS 731.252(1).

11. ORS 731.988(1) authorizes the Director to impose civil penalties against an

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individual insurance producer in the amount up to $1,000 per violation for any violation of the Insurance Code, including violations of ORS 744.074 and 731.296.

ORDERS

The Director issues the following ORDERS:

12. Pursuant to ORS 731.252(1), the Director hereby ORDERS Harris Calbert to CEASE AND DESIST from violating any provision of the Insurance Code, or any administrative rule adopted by the Director under those statutes.

13. The Director hereby grants Harris Calbert's request to voluntarily surrender her Oregon nonresident insurance producer license, in lieu of the Director revoking her license.

14. 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.

IT IS SO ORDERED.

Dated this 8th day of December, 2022.

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 BY TARHEISHA L ALVAREZ

I, Barbara Ann Harris Calbert, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, that I have been advised of my right to be represented by counsel in this matter; that 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; that 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; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Barbara Ann Harris Calbert
Barbara Ann Harris Calbert

State of: Virginia

County of: Henrico

Signed or attested before me on this 2nd day of December, 2022.

by Barbara Ann Harris Calbert.

/s/ *Antonio Le'shone Bradshaw*
Notary Public

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