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

In the Matter of: GIRISH MODGILL and PAVANDEEP KAUR, Respondents.	Case No. INS-22-0026 FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER PLACING LICENSEES ON PROBATION AND ASSESSING CIVIL PENALTIES, ENTERED BY CONSENT

The Director of the Department of Consumer and Business Services for the State of Oregon (the "Director"), through the Division of Financial Regulation (the "Division"), investigated the business activities of Respondents Girish Modgill ("Modgill") and Pavandeep Kaur ("Kaur") and determined that they violated certain provisions of the Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 743B, 744, 746, 748, and 750 and the rules promulgated thereunder (collectively, the "Insurance Code").

Respondents cooperated with the Director's investigation and wish to settle this matter.

Now, therefore, as evidenced by the signature(s) 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 below.

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Salem, OR 97301-3881
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FINDINGS OF FACT

The Director FINDS that:

Respondents

1. Modgill is an Oregon nonresident insurance producer who was first licensed in the state on October 17, 2019. His National Producer Number is 1926051.

2. Modgill is also an inactive Oregon mortgage loan originator ("MLO"). His Nationwide Multistate Licensing System & Registry ("NMLS") number is 2132981.

3. At all times material, Modgill had an appointment with Allstate Insurance Company ("Allstate") as an agent and was employed at the Dick Hannah Insurance Agency (the "Hannah Agency") located in the state of Washington.

4. Pavandeep Kaur was an Oregon nonresident insurance producer who was first licensed in the state on April 17, 2017. Her National Producer Number is 18027973. Her Oregon nonresident insurance producer license ("Oregon License") expired on October 31, 2021.

5. At all times material, Kaur had an appointment with Allstate as an agent and was employed at the Mark Hall Allstate Insurance Agency (the "Hall Agency") located in the state of Oregon.

6. Modgill and Kaur are married.

7. In June 2020, Kaur notified the Hall Agency that she would be leaving her employment because she had obtained a position at the Hannah Agency, where Modgill worked. That same month, while still employed at the Hall Agency, Kaur took two Allstate insurance applications from Hall Agency clients, AM and EM. However, Modgill signed the applications as the agent—even though he had never spoken to AM or EM—and bound the insurance policies with his bind identification.

8. On March 15, 2021, Allstate terminated Kaur's appointment based on the above conduct.

9. On March 19, 2021, Allstate also terminated Modgill's appointment based on the above conduct and reported the termination to the Division.

10. On April 15, 2022, the Washington State Office of the Insurance Commissioner took administrative action against Kaur (Order No. 22-0225) and Modgill (Order No. 22-0226) based on their above conduct. Modgill, whose Oregon nonresident insurance

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producer license ("Oregon License") is still active, failed to report this administrative action to the Division.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

11. By taking insurance applications and allowing Modgill to sign the applications as the agent and bind the insurance policies as described in paragraph 7 of this Order, Kaur engaged in dishonest practices or demonstrated untrustworthiness in the conduct of business in this state or elsewhere, in violation of ORS 744.074(1)(h).

12. By representing himself as the agent on insurance applications he had not taken and binding insurance policies on insureds with whom he had no contact as described in paragraph 7 of this Order, Modgill made false statements or representations on or relative to applications for insurance, in violation of ORS 746.100.

13. By representing himself as the agent on insurance applications he had not taken and binding insurance policies on insureds with whom he had no contact as described in paragraph 7 of this Order, Modgill engaged in dishonest practices or demonstrated untrustworthiness in the conduct of business in this state or elsewhere, in violation of ORS 744.074(1)(h).

14. By failing to report an administrative action against him as described in paragraph 10 of this Order, Modgill violated ORS 744.089.

15. ORS 744.074(1)(b) authorizes the Director to place Modgill on probation for violating insurance laws, to wit: ORS 746.100 and ORS 744.089.

16. ORS 744.074(1)(h) authorizes the Director to place Modgill on probation for using dishonest practices or demonstrating untrustworthiness in the conduct of business in this state or elsewhere.

17. ORS 744.994 authorizes the Director to investigate or initiate disciplinary proceedings against Kaur even after her Oregon License has expired.

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18. ORS 744.074(1)(h) authorizes the Director to place Kaur on probation for using dishonest practices or demonstrating untrustworthiness in the conduct of business in this state or elsewhere.

19. Because Respondents violated ORS 744.074(1)(h), ORS 746.100, and ORS 744.089, the Director may, under ORS 731.252(1), order Respondents to cease and desist from violating those statutes.

20. ORS 731.988(1) authorizes the Director to assess against Respondents a civil penalty of up to $1,000.00 per violation of the Insurance Code.

ORDERS

Now therefore, the Director issues the following Orders:

21. As authorized by ORS 731.252(1), the Director ORDERS Respondents to CEASE AND DESIST from violating ORS 744.074(1)(h), ORS 746.100, and ORS 744.089.

22. As authorized by ORS 744.074(1)(b) and (h), the Director PLACES Modgill on PROBATION from the date of this Order through April 15, 2024.

23. As authorized by ORS 744.074(1)(h) and ORS 744.994, the Director PLACES Kaur on PROBATION from the date of this Order through April 15, 2024.

24. As authorized by ORS 731.988(1), the Director ORDERS Respondents to pay, jointly and severally, a CIVIL PENALTY of $5,000.00, allocated as follows:

A. $4,000.00 for violating ORS 744.074(1)(h) and ORS 746.100, and

B. $1,000.00 for violating ORS 744.089.

25. The Director SUSPENDS $2,500.00 of the civil penalties, provided:

A. Respondents complete nine hours of continuing education ("CE") classes in ethics by the end of the probationary period, in addition to the CE classes required to maintain or renew their respective Oregon Licenses, and submit proof of completion to the Director at 350 Winter Street NE, Room 410, Salem OR 97301 or

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DFR.ReportEnforcement@oregon.gov;

B. Respondents disclose this administrative action and all the administrative actions they are required to disclose under ORS 744.089 by uploading the administrative orders and other relevant documents to the National Insurance Producer Registry Attachment Warehouse;

C. Modgill discloses this administrative action and all the administrative actions he is required to disclose under Oregon Administrative Rules ("OAR") 441-880-0320(2) and (6) to NMLS;

D. Respondents update their respective business addresses; and

E. Respondents do not violate the Insurance Code or the terms of this Order.

26. If Respondents fail to satisfy these conditions, the suspended portion of the civil penalties will become immediately due and owing. Otherwise, the Director will waive the suspended portion of the civil penalties three years after the date of this Order.

27. Along with this Order, Respondents shall submit to the Director $2,500.00 as payment for the unsuspended portion of the civil penalties.

28. Nothing in this Order precludes Respondents from applying for or renewing an insurance producer license or a mortgage loan originator license in Oregon at a future date. The Division will review Respondents' application(s) according to the applicable law at the time of submission of the application(s).

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29. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to this provision, entry of this Order does not limit the Director's authority to enforce this Order or take action against Respondents for violations of this Order or violations not included in this Order that are discovered after the date of this Order.

SO ORDERED this 4th day of August, 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

I, Girish Modgill, state that I have read the foregoing Order and that I know and fully understand the contents hereof. The factual allegations stated herein are true and correct. I have been advised of my right to a hearing and of the right to be represented by counsel in this matter. I voluntarily consent to the entry of this Order with no 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 that I have committed other violations of the Insurance Code. I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Girish Modgill
Signature

State of Washington

County of Clark

Signed or attested before me on this 22 day of July, 2022.

/s/ Ian Riker

Notary Public

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CONSENT TO ENTRY OF ORDER

I, Pavandeep Kaur, state that I have read the foregoing Order and that I know and fully understand the contents hereof. The factual allegations stated herein are true and correct. I have been advised of my right to a hearing and of the right to be represented by counsel in this matter. I voluntarily consent to the entry of this Order with no 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 that I have committed other violations of the Insurance Code. I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Pavandeep Kaur
Signature

State of Washington

County of Clark

Signed or attested before me on this 22 day of July, 2022.

/s/ Ian Riker

Notary Public

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