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

In the Matter of:	Case No. INS-17-0079
MARC A. PEREZ, Licensee.	FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On August 1, 2017, the Director of the Department of Consumer and Business Services ("Director"), by and through the Division of Financial Regulation ("Division"), properly served notice ("Notice") on Marc A. Perez ("Licensee") that the Director intended to issue an order revoking Licensee's nonresident insurance producer license.

The Notice offered Licensee an opportunity for a hearing if requested within 20 days of service of the Notice. The Notice further informed Licensee that if a hearing was not conducted because Licensee did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file and all materials submitted by Licensee 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 Licensee 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 to this matter, the Director finds and orders as follows.

FINDINGS OF FACT

The Director FINDS that:

1. Licensee has been a licensed nonresident individual insurance producer since

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September 1, 2015. Licensee's national producer number is 3116217. Licensee was a licensed nonresident insurance consultant since September 1, 2013 until his license expired on August 31, 2015.

2. Licensee is a Washington resident with his last recorded principal place of business at 23830 Pacific Highway South #104, Kent, WA 98032.

3. On or around April 13, 2016, the Washington Insurance Commissioner issued a Consent Order Levying a Fine against Licensee, No. 16-0019, imposing a fine of $250.00 against Licensee.

4. On or around February 20, 2017, the Washington Insurance Commissioner issued an Order Revoking License against Licensee, No. 17-0018, revoking Licensee's Washington resident insurance producer license.

5. As of the date of this Order, Licensee has not reported the abovementioned administrative actions to the Director.

6. On August 1, 2017, the Division properly served notice on Licensee that the Director intended to revoke Licensee's nonresident insurance producer license. Licensee had 20 days to timely request a hearing. The Division did not receive a request for hearing from Licensee.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

7. 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.

8. Pursuant to ORS 744.011(1), the expiration of a license shall not deprive the Director of jurisdiction to proceed with any investigation of, or any action or disciplinary proceedings against, the licensee.

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9. Pursuant to ORS 744.089(1), insurance producers must report to the Director any administrative action taken against the insurance producer in another jurisdiction not later than the 30th day after the date of the final disposition of the matter.

10. Licensee twice violated ORS 744.089(1) by failing to report the abovementioned Washington administrative actions to the Director not later than the 30th day after the date of the final disposition of each respective matter.

11. Pursuant to ORS 744.013(2)(c), the Director may revoke an insurance consultant license for violation of or noncompliance with any applicable provision of the Insurance Code or any rule or order of the Director.

12. Pursuant to ORS 744.013(2)(L), the Director may revoke an insurance consultant license for revocation by any state of a license or other evidence of authority to act as an insurance producer, adjuster or insurance consultant.

13. Pursuant to ORS 744.074(1)(b), the Director may revoke an insurance producer license for violating any insurance laws.

14. Pursuant to ORS 744.074(1)(i), the Director may revoke an insurance producer license for revocation by any state of a license or other evidence of authority to act as an adjuster or insurance producer or consultant.

ORDERS

Now, therefore, the Director issues the following Orders:

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

16. In accordance with ORS 744.013(2)(c), the Director hereby REVOKES Licensee's nonresident insurance consultant license for violating ORS 731.089(1).

17. In accordance with ORS 744.013(2)(L), the Director hereby REVOKES Licensee's nonresident insurance consultant license for having his Washington resident

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insurance producer license revoked.

18. In accordance with ORS 744.074(1)(b), the Director hereby REVOKES Licensee's nonresident insurance producer license for violating ORS 731.089(1).

19. In accordance with ORS 744.074(1)(i), the Director hereby REVOKES Licensee's nonresident insurance producer license for having his Washington resident insurance producer license revoked.

SO ORDERED this 5th day of October, 2017.

JEAN M. STRAIGHT, Acting Director
Department of Consumer and Business Services

/s/ David Tatman
David C. Tatman, 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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