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

In the Matter of DAVID MICHAEL NELSON TAXER, CAR INSURANCE OREGON LLC, AND CENTURION MARKETING GROUP LLC, Respondents.	Case No. INS-22-0094 FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER REVOKING INSURANCE PRODUCER LICENSES, ENTERED BY DEFAULT

On October 11, 2022, the Division of Financial Regulation (the "Division"), acting on behalf of the Director of the Department of Consumer and Business Services for the State of Oregon (the "Director"), served Notice of Administrative Order INS-22-0094 ("Notice") on David Michael Nelson Taxer ("Taxer") and his companies, Car Insurance Oregon LLC, also known as Car Insurance Oregon ("Car Insurance Oregon"), and Centurion Marketing Group LLC, also known as Centurion Marketing Group ("Centurion Marketing Group") (collectively, "Respondents"). The Notice provided notice that the Director issued an order to cease and desist and a proposed order revoking Respondents' insurance producer licenses violations of Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 ("Insurance Code") and the Oregon Administrative Rules ("OAR") promulgated under those laws.

The Notice offered Respondents an opportunity for hearing if requested within 20 days of service of the Notice. The Notice further informed Respondents that if a hearing were not conducted because Respondents did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file and all materials submitted by Respondents in this case would automatically become part of the contested case record for the purpose of proving a prima facie case.

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The Director did not receive from Respondents a request for 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. Taxer was first licensed as an Oregon resident individual insurance producer on January 26, 2012. Taxer's National Association of Insurance Commissioners ("NAIC") national producer number is 16520021.

2. Car Insurance Oregon is a domestic limited liability company that was first licensed in Oregon as a business entity insurance producer on October 7, 2020. Car Insurance Oregon's NAIC national producer number is 19657396. Taxer is Car Insurance Oregon's owner and designated responsible licensed person.[1]

3. Centurion Marketing Group is a domestic limited liability company that was first licensed in Oregon as a business entity insurance producer on May 4, 2021. Centurion Marketing Group's NAIC national producer number is 19894601. Taxer is Centurion Marketing Group's owner and designated responsible licensed person.[2]

4. On December 20, 2021, in Washington County Circuit Court case 21CR54559 (the "Washington County felony case"), Respondent was arraigned on two counts of Burglary in the Second Degree, one count of Theft in the First Degree, and one count of Criminal Mischief in the First Degree, all class C felonies. Prior to the arraignment, on September 28, 2021, Taxer received a citation in the Washington County felony case. On

[1] On November 24, 2021, Car Insurance Oregon was administratively dissolved by the Oregon Secretary of State.

[2] On August 25, 2022, Centurion Marketing Group was administratively dissolved by the Oregon Secretary of State.

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October 15, 2021, in response to a request by the Division, Taxer provided a copy of that citation to the Division.

5. On December 3, 2021, in Washington County Circuit Court case 21SK03571, the court issued a temporary Stalking Protective Order against Respondent. On January 3, 3022, a hearing was held in that matter, and the following day the court granted a permanent Stalking Protective Order. On June 9, 2022, in Washington County Circuit Court case 22CR27542 (the "Washington County protective order case"), the court issued an arrest warrant against Respondent for violating that Stalking Protective Order, a Class A Misdemeanor.

6. On January 19, 2022, in Deschutes County Circuit Court case 22CR02827 (the "Deschutes County case"), Respondent was arraigned on charges of Burglary in the First Degree, a Class A Felony, and Theft of Services, a Class A Misdemeanor. That court subsequently issued a warrant for Respondent's arrest for failure to appear on June 6, 2022.

7. On July 31, 2022, Respondent's Oregon insurance producer license expired.

8. Taxer never notified the Division about the Washington County protective order case or the Deschutes County case.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

9. Under ORS 744.089(2), not later than the 30th day after the initial pretrial hearing date, an insurance producer shall report to the Director any criminal prosecution of the insurance producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents.

10. By failing to report to the Director the criminal prosecutions against him not later than the 30th day after the initial pretrial hearing date in the Washington County protective order case and Deschutes County case, Taxer violated ORS 744.089(2).

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11. Under ORS 744.074(1)(b), the Director may revoke an insurance producer license and may take other actions authorized by the Insurance Code in lieu thereof or in addition thereto, for violating any insurance laws, or violating any rule, subpoena or order of the Director.

12. Because Taxer violated a provision of the Insurance Code, including ORS 744.089(2), the Director may revoke Taxer's insurance producer license under ORS 744.074(1)(b).[3]

13. Under ORS 744.074(3), the Director may suspend, revoke or refuse to issue or renew the insurance producer license of a business entity if the director determines that an individual licensee's violation was known or should have been known by one or more of the partners, officers or managers acting on behalf of the partnership or corporation but the violation was not reported to the Director and corrective action was not taken.

14. Taxer is an officer or manager of Car Insurance Oregon and Centurion Marketing Group.

15. Because Taxer knew of his own violations of the Insurance Code but failed to report the same to the Director and corrective action was not taken, including the Washington County protective order case and Deschutes County case, the Director may revoke the business entity insurance producer licenses of Car Insurance Oregon and Centurion Marketing Group under ORS 744.074(3).

16. Because Car Insurance Oregon and Centurion Marketing Group violated the Insurance Code, including ORS 744.074(3), the Director may revoke their business entity insurance producer licenses under ORS 744.074(1)(b).

17. 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

[3] Under ORS 744.994(2), a license expiration does not prevent the Director from investigating or initiating disciplinary proceedings against a licensee. Accordingly, the Director may revoke Taxer's license despite its expiration.

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Insurance Code, the Director may issue an order, directed to such person, to discontinue or desist from such violation or threatened violation.

18. Because the Director has reason to believe that Respondents have violated ORS 744.089(2) and ORS 744.074(3), the Director may issue an order directed to Respondents to discontinue or desist from those violations under ORS 731.252(1).

ORDERS

The Director issues the following ORDERS:

Order to Cease and Desist

19. Pursuant to the authority of ORS 731.252(1), the Director hereby orders Respondents to CEASE AND DESIST from violating ORS 744.089(2) and ORS 744.074(3).

Order Revoking Insurance Producer Licenses

20. Pursuant to ORS 744.074(1)(b), the Director hereby REVOKES the insurance producer license of Taxer and the business entity insurance producer licenses of Car Insurance Oregon and Centurion Marketing Group.

FINAL ORDER

21. 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 22nd day of November, 2022.

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

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

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NOTICE OF RIGHT TO JUDICIAL APPEAL

Judicial review of final orders in contested cases is governed by ORS 183.482. Respondents 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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