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

In the Matter of: CHRISTY VOSS, Respondent.	Case No. INS-23-0051 FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER REVOKING INSURANCE PRODUCER LICENSE, ENTERED BY DEFAULT

On August 31, 2023, the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), acting by and through the Oregon Division of Financial Regulation ("Division") and in accordance with Oregon Revised Statutes ("ORS") 731, 732, 733, 734, 735, 737, 742, 743, 743A, 743B, 744, 746, 748 and 750 ("Insurance Code"), issued and served an Order to Cease and Desist, Proposed Order Revoking Insurance Producer License, and Notice of Right to an Administrative Hearing on Christy Voss ("Respondent").

The Notice offered Respondent an opportunity for a hearing if requested within 20 days of the Notice. The Notice further informed Respondent that if a hearing were not conducted because Respondent did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file and all materials submitted by Respondent 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 a request for a hearing from Respondent and did not conduct a hearing.

The Director finds that the record of this proceeding proves a prima facie case.

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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. Respondent was first licensed as an Oregon resident individual insurance producer on June 23, 2020. Respondent's National Association of Insurance Commissioners ("NAIC") national producer number is 19548917.

2. As of May 24, 2023, Respondent was an employee insurance producer of Nate Conklin ("Conklin"), and independent contractor agent of State Farm Insurance Company ("State Farm").

3. On or about June 14, 2023, State Farm informed the Division that Conklin had terminated Respondent "for cause" on May 24, 2023.

4. In response to a request from the Division, State Farm provided documents and supporting documentation, including its investigative findings report dated May 24, 2023 (collectively, the "State Farm Investigation"), which supported Conklin's decision to terminate Respondent for cause due to her filing of a fraudulent insurance claim.

5. The State Farm Investigation included correspondence from Conklin indicating that Respondent had reported an insurance claim concerning an automotive accident in which she claimed to have been driving when her automobile hit a parked car. Following up on the claim, Conklin had called the driver of the car that was struck, and that person informed Conklin that it had been Respondent's son who was driving at the time of the accident, not Respondent herself. When Conklin confronted Respondent with this information, she admitted that she had lied about being the driver during the accident, and Conklin immediately terminated her employment.

6. On June 15, 2023, a Division Investigator sent an email to Respondent at the email address that Respondent provided to the Division as part of her licensing application.

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That email included four questions for Respondent to answer and requested a response no later than June 30, 2023. Respondent failed to respond to this initial inquiry.

7. On July 18, 2023, having received no response to the foregoing email, the Division Investigator sent a letter by first-class and certified mail to Respondent. That letter included five questions for Respondent to answer and requested a response no later than August 8, 2023.

8. On July 25, 2023, Respondent called the Division Investigator, who informed Respondent that she needed to provide a response to the questions in the Division's letter dated July 18, 2023 no later than August 8, 2023. Respondent admitted that she had lied on the insurance claim that she filed because she was trying to protect her child and that she had "screwed up." Respondent also told the Division Investigator that she would respond to the Division's questions by the deadline via email.

9. On August 31, 2023, the Director issued and served an Order to Cease and Desist, Proposed Order Revoking Insurance Producer License, and Notice of Right to an Administrative Hearing on Respondent.

10. As of the date of this order, Respondent has failed to respond to the Division Investigator's questions, and has not exercised her right to an administrative hearing.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

11. Pursuant to ORS 744.074(1)(h), 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 using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

12. By filing an insurance claim in which she lied about critical details concerning the accident at issue in the claim, Respondent engaged in fraudulent, coercive, or dishonest

practices, and therefore is subject to a license revocation or other action under ORS 744.074(1)(h).

13. Pursuant to ORS 731.296, the Director may address any proper inquiries to any licensee 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.

14. By failing to respond to the Division's inquiries of June 15, 2023 and July 18, 2023, Respondent violated ORS 731.296.

15. Pursuant to 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.

16. The Director may revoke Respondent's insurance producer license under ORS 744.074(1)(b) on the basis that Respondent violated ORS 731.296 as described herein.

17. 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, directed to such person, to discontinue or desist from such violation or threatened violation.

18. Because the Director has reason to believe that Respondent has violated ORS 744.074(1)(b) and (h), and ORS 731.296, the Director may issue an order directed to Respondent 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 Respondent to CEASE AND DESIST from violating ORS 744.074(1)(b) and (h), and ORS 731.296.

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Order Revoking Insurance Producer License

20. Pursuant to ORS 744.074(1)(b) and (h), the Director hereby REVOKES Respondent's non-resident insurance producer license.

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 28th day of September, 2023.

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

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

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 serve.

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