



net unearned premium of \$2,324.70 due to Gary Young (Young), then of Netarts, Oregon, as a result of the cancellation of a commercial automobile insurance policy, number KT04389390, previously issued to Young through KIT by TIG Premier Insurance Company (TIG).

On 6/26/98, after not receiving any money from OIG, Young complained to the Insurance Division.

On or about 12/4/98, after the Insurance Division interceded, OIG paid Young \$1,400 and promised to pay the balance of \$1,183 by mid 1/99.

On 3/29/99, after not receiving any more money from OIG, Young complained to the Insurance Division again.

On 4/5/99, OIG told the Insurance Division that OIG would pay half of the balance of \$933 in 4/99 and the remainder of the balance in 5/99.

On or about 5/3/99, Young informed the Insurance Division that OIG had not communicated with Young about paying the balance.

OIG paid Young \$250 on 5/10/99, in 6/99 and in 7/99 and the balance of \$183 in 9/99.

### **Ultimate Facts**

OIG failed to return the unearned premium to an insured within 30 calendar days after receiving the unearned premium.

### **Conclusions**

OIG violated OAR 836-074-025.

### **Action**

OIG shall pay a civil penalty of \$5,000 pursuant to ORS 731.988 on or before 12/1/00.

Dated November 7, 2000.

/s/ C. Russell Walker  
C. Russell Walker  
President  
Oregon Insurance Group, Inc.

**FINAL ORDER**

The Director adopts, and incorporates herein by this reference, the Facts, Ultimate Facts, Conclusions and Action in the above Stipulation as the Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order, respectively, of this Final Order.

Dated November 15, 2000.

/s/ Mary C. Neidig  
Mary C. Neidig  
Director  
Department of Consumer and Business Services

**CERTIFICATE OF SERVICE**

I certify that on November 15, 2000 I served the above Stipulation and Final Order by mailing a copy thereof in a sealed envelope, with first class postage prepaid, to the party named therein.

/s/ Mitchel D. Curzon  
Mitchel D. Curzon  
Administrative Law Specialist  
Insurance Division