STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Randal T. Combs**	)	**FINAL ORDER**
	)	Case No. INS 04-08-011

History of the Proceeding

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Randal T. Combs (Combs).

On 9/8/04, the director notified the party that they were entitled to a hearing pursuant to ORS 183.415.

The director did not receive a request for a hearing, and did not hold a hearing because the director determined that the record of the proceeding proved a *prima facie* case and no further evidence was needed.

Therefore, the director now makes the following final decision in this proceeding.

Findings of Fact and Conclusions of Law

Licensing Information

Combs has been licensed in Oregon as a nonresident insurance agent from 9/14/95 to 9/30/98 and from 11/2/98 to 9/30/04. On 9/30/04, Combs' license expired because it was not renewed.

Failed to Pay Civil Penalty Assessed by Director

Combs violated ORS 744.074(1)(o) in one instance by engaging in the following conduct. ORS 744.074(1)(o) permits the director to take any authorized action against a person if the person fails to pay a civil penalty assessed by the director that has become final by operation of law or upon appeal. On 2/3/04, the director issued a Final Order, case number INS 03-10-016, assessing Combs a civil penalty of $1,200 pursuant to ORS 731.988 for violating ORS 744.089(1) for failing to report an enforcement action by another state insurance regulator, and ORS 731.296 for failing to respond to an inquiry by the director. The civil penalty was due by

4/14/04 pursuant to ORS 183.090(2) unless Combs timely appealed the order. Combs did not appeal the order. Combs has not paid the civil penalty.

Order

Pursuant to ORS 744.074(1) and 744.011, Combs' Oregon expired nonresident insurance agent license is revoked on the date of this order.

Notice of Right to Judicial Review

The party may have the right to appeal the order to the Oregon Court of Appeals pursuant to ORS 183.480 and 183.482. If a party wants to appeal the order, the party must file a petition for judicial review with the Court of Appeals within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the day the party received the order. If the order was mailed to a party, then the date of service is the day the order was mailed to the party, not the day the party received the order. If a party does not file a petition for judicial review within the 60-day time period, then the party will loose the right to appeal this order. If a party appeals the order, the party should also send a copy of the petition to the Insurance Division.

Dated October 11, 2004

/s/ Joel Ario
Joel Ario
Administrator
Insurance Division
Department of Consumer and Business Services

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