STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Gerald A. Frazier**	)	**STIPULATION** and
	)	**FINAL ORDER**
	)	Case No. INS 04-12-011

STIPULATION

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 Gerald A. Frazier (Frazier).

Frazier enters into this stipulation, pursuant to ORS 183.415(5), to conclude this proceeding without further administrative or judicial proceedings.

Frazier waives the right to receive a notice of proposed action, receive a notice of the rights of a party and procedures in contested cases, have a hearing, be represented by an attorney at the hearing, receive a proposed order, file exceptions to the proposed order, and have the final order judicially reviewed.

Frazier stipulates to the following facts, conclusions, and action; and consents to the issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

Frazier has been licensed in Oregon as a resident insurance agent since 5/10/84. Frazier's current license number is 108244. Frazier's last recorded residence and business addresses are located in The Dalles, Oregon.

Failed to Timely Respond to Director's Inquiry

Frazier violated ORS 731.296 in one instance by engaging in the following conduct. ORS 731.296 requires a person licensed in Oregon as an insurance agent to promptly and truthfully respond to inquiries from the director. On 9/13/04, the Insurance Division mailed by certified mail a letter to Frazier at his last recorded business mailing address of Oregon Trail Insurance, LLC, 409 W. 4th Street, The

Dalles Oregon 97058-1305. The letter requested Frazier to provide certain information to the Insurance Division by 10/13/04. On 9/14/04, Jenny Ward, an employee of Oregon Trail Insurance, LLC, received the letter. On 10/26/04, when Frazier did not respond by the due date, the Insurance Division called and informed Frazier that the Insurance Division had not received the information. On 11/1/04, the Insurance Division received by mail from Fraizer a letter dated 10/28/04 providing the requested information. Thus, Frazier responded to the Insurance Division 19 days late.

Action

Pursuant to ORS 731.988, Frazier is assessed a civil penalty of $250. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE, Room 440 (4th Floor), Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment is due on, and shall be received by the Insurance Division by, the date of the final order.

Dated December 21, 2004 /s/ Gerald A. Frazier
Gerald A. Frazier

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated January 10, 2005 /s/ Joel Ario
Joel Ario
Administrator
Insurance Division
Department of Consumer and Business Services