STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Willamette Pontiac, Inc.** **dba Willamette Auto Group**	)	**STIPULATION** and **FINAL ORDER**
	)	Case No. INS 05-04-019

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 Willamette Pontiac, Inc. dba Willamette Auto Group (Willamette Auto).

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

Willamette Auto waives all rights relative to an administrative hearing and judicial review thereof.

Willamette Auto 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

Willamette Auto has been licensed in Oregon as a resident business entity insurance producer since 4/7/82. Willamette Auto's last recorded business address is located in Salem, Oregon.

Demonstrated Incompetence, Untrustworthiness, or Financial Irresponsibility in Business

Willamette Auto violated ORS 744.074(1)(h) in six instances by engaging in the following conduct. ORS 744.074(1)(h) prohibits a person from using a fraudulent, coercive or dishonest practice, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in Oregon or elsewhere. Willamette Auto demonstrated incompetence, untrustworthiness, or financial irresponsibility, in the conduct of insurance business in Oregon. From 3/20/04 to 9/23/04, Willamette Auto overcharged six insureds $30 or $35 each, for a total of

$190, as premium for asset protection insurance, commonly called GAP insurance, provided by American National Property and Casualty Company. Subsequently, after the Insurance Division conducted an investigation, Willamette Auto refunded the overcharged premium to each insured. The name of the insured, the date the insured applied for the insurance, the policy number, the amount Willamette Auto charged, the amount of premium that Willamette Auto should have charged, and the date Willamette Auto refunded the overcharged premium, in each instance is as follows:

Insured	Date of Application	Policy Number	Amount of Premium	Amount Charged	Diff.	Date of Refund
Clark	3/20/04	PHA0033442	$470	$500	$30	2/21/05
Baldwin	3/22/04	PHA0031835	$435	$470	$35	2/21/05
Sparks	5/23/04	PHA0033951	$435	$470	$35	2/21/05
Avans	7/25/04	PHA0036276	$470	$500	$30	2/21/05
Romano	9/3/04	PHA0038405	$470	$500	$30	2/15/05
Meling	9/23/04	PHA0038736	$470	$500	$30	2/15/05
Total					$190	

Action

Pursuant to ORS 731.988, Willamette Auto is assessed a civil penalty of $1,000. 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 May 2, 2005

/s/ Kim M. Stone
[Signature of Representative]

Kim M. Stone
[Printed Name of Representative]

Chief Financial Officer
[Printed Title of Representative]

Willamette Pontiac, Inc.
dba Willamette Auto Group

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 May 23, 2005

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

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