STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Miguel A. Gonzalez-Vasquez**	)	**FINAL ORDER**
	)	Case No. INS 14-09-003

History of the Proceeding

The Director of the Oregon Department of Consumer and Business Services (director), by and through the Insurance Division, commenced this administrative proceeding to take enforcement action against Miguel A. Gonzalez-Vasquez.[1]

On 9/12/14, the director issued a written notice of proposed action.[2] The director mailed by certified and first class mail, and sent by e-mail, to the party a copy of the notice. The notice informed the party that the director proposed to refuse to issue an Oregon resident individual insurance producer license to the party.[3] The notice also informed the party that the party was entitled to a hearing, and if the party wanted a hearing then the party had to send to the director a written request for a hearing so that the director received it by 11/11/14.[4]

On 10/15/14, the director timely received by e-mail from the party a written request for a hearing.

Also on 10/15/14, the director referred the party's request for a hearing to the Office of Administrative Hearings (OAH).[5] The director sent by e-mail to the party a copy of the referral and all attached documents include a written notice of the rights of parties and procedures in this proceeding.[6] The party sent an e-mail to the director confirming that the party received the copy of the referral.

[1] See Oregon Revised Statutes (ORS) 731.256.
[2] See ORS 744.074(2), ORS 183.415, and Oregon Administrative Rules (OAR) 137-003-0505.
[3] See ORS 744.074(1).
[4] See ORS 183.435.
[5] See ORS 183.635(1) and OAR 137-003-0515.
[6] See ORS 183.413(2) and OAR 137-003-0510(1).

On 11/25/14, OAH issued a written notice scheduling a telephone prehearing conference to be conducted on 12/18/14.[7] OAH mailed by first class mail to the party a copy of the notice.

On 12/18/14, OAH conducted a telephone prehearing conference. Both the party and the director participated in the conference. During the conference, OAH scheduled a hearing to be conducted on 4/8/14, and also set a schedule for the director to file a motion for summary determination and the party to file a response to the motion. Also on 12/18/14, OAH sent an e-mail to the party confirming the above.

On 12/23/14, OAH issued a written notice scheduling a hearing to be conducted on 4/8/15.[8] OAH mailed by first class mail to the party a copy of the notice.

On 1/26/15, the director issued a written amended notice of proposed action. The director mailed by certified and first class mail, and sent by e-mail, to the party a copy of the amended notice. The amended notice informed the party that the director continued to propose to take the same enforcement action for essentially the same reasons but alleged that the party was convicted of multiple crimes rather a specific number of crimes, and added a special notice to service members.[9] The amended notice also informed the party that the scheduled hearing would continue to be conducted as scheduled.

On 2/20/15, the director filed with OAH a written motion for summary determination.[10] The director mailed by first class mail to the party a copy of the motion. The party was entitled to respond to the motion by 3/6/15. OAH did not receive from the party a response to the motion.

On 3/25/15, OAH issued a written proposed order.[11] OAH mailed by first class mail to the party a copy of the order. The order granted the director's motion, canceled the hearing, and found that the party committed all of the violations alleged, and recommended that the director take the action proposed, in the amended

[7] See OAR 137-003-0575.
[8] See OAR 137-003-0525.
[9] See ORS 183.413(2)(p) and ORS 183.415(3)(f).
[10] See OAR 137-003-0580 and OAR 137-003-0520(9).
[11] See ORS 183.460 and OAR 137-003-0645.

notice of proposed action. The order informed the party that the party could file with the director written exceptions to the proposed order by 4/24/15. The party did not file any exceptions to the order.[12]

The director now makes the following final decision in this proceeding.

Findings of Fact, Conclusions of Law and Opinion

The director adopts, and incorporates herein by this reference, the findings of fact, conclusions of law, and reasoning of proposed order as the findings of fact, conclusions of law, and reasoning of this final order.

Order

An Oregon resident individual insurance producer license shall not be issued to the party.

Notice of Right to Judicial Review

The party has the right to judicial review of this order.[13] The party may request judicial review by sending a petition for judicial review to the Oregon Court of Appeals. The court must receive the petition within 60 days from the date this order was served on the party. If the order was personally delivered to the party, then the date of service is the date the party received the order. If the order was mailed to the party, then the date of service is the date the order was mailed to the party, not the date the party received the order. If the party files a petition, the party is requested to also send a copy of the petition to the Insurance Division by delivering or mailing it to the Insurance Division at Labor and Industries Building, 350 Winter Street NE Room 300, Salem, OR 97301-3880; or mailing it to PO Box 14480, Salem, OR 97309-0405; or faxing it to 503-378-4351; or e-mailing it to mitchel.d.curzon@oregon.gov.

Dated MAY 05 2015

Laura N. Cali, FCAS, MAAA
Insurance Commissioner and Chief Actuary

[12] Although the party did not file any exceptions, the party and various employees of the Insurance Division exchanged multiple e-mails and telephone calls from 4/7/15 to 4/9/15 in which the party explained some of the circumstances which influenced the party to engage in the criminal misconduct and attempted to persuade the director to issue a license to the party.

[13] See ORS 183.480 and ORS 183.482.

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In the Matter of **Miguel A. Gonzalez-Vasquez**	) **CERTIFICATE of**) **SERVICE of**) **FINAL ORDER**) Case No. INS 14-09-003

I certify that I sent the final order to the following person(s) on the date and by the means indicated below:

Miguel A. Gonzalez-Vasquez
1614 Birch Street
Forest Grove, OR 97116-2832

✓ US First Class Mail
✓ E-mail to miguel.gonzalez@velapoint.com

Miguel A. Gonzalez-Vasquez
Velapoint LLC
1100 NW Compton Way Suite 205
Hillsboro, OR 97006-1964

✓ US First Class Mail

Dated MAY 05 2015

Mitchel D Curzon
Mitchel D. Curzon
Chief Enforcement Officer

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