STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter Juan C. Arroyo,	)	**FINAL ORDER REVOKING LICENSE**
Licensee.	)	**Case No. INS 15-07-004**

On July 20, 2015, the Director of the Department of Consumer and Business Services for the State of Oregon ("Director") properly served notice on Juan C. Arroyo ("Arroyo") that the Director intended to revoke Arroyo's Oregon Resident Insurance Producer License ("License") as follows:

1. Under ORS 744.074(1)(a) for providing incorrect, misleading, incomplete or materially untrue information in a license application;
2. Under ORS 744.074(1)(b) for failing to provide to the Director a notice required under ORS 744.089(2);
3. Under ORS 744.074(1)(f) based upon Arroyo's December 5, 2014 conviction for felony Theft in the First Degree;
4. And under ORS 731.428(4) based on Arroyo's conviction of felony involving dishonesty or breach of trust.

The Notice offered Arroyo an opportunity for a hearing, if requested. The Notice designated the relevant portions of the Director's file on this matter, including all materials submitted by Arroyo, as the record for purposes of default. The Notice further informed Arroyo that if a hearing was not conducted because Arroyo did not timely request a hearing or otherwise defaulted then the designated portion of the Director's file and all materials submitted by Arroyo in this case would automatically become part of the contested case record for the purpose of proving a *prima facie* case. Arroyo did not respond to the notice or request a hearing, and a hearing was not conducted.

NOW THEREFORE, after considering the relevant portions of the Director's file relating to this matter, the Director enters the following Order.

AGENCY'S FINDINGS OF FACT

1. Juan C. Arroyo ("Arroyo") is licensed in Oregon as a resident individual insurance producer. Arroyo's NAIC national producer number is 17441954.
2. On November 21, 2014, Arroyo applied for an Oregon resident insurance producer's license ("License").
3. On December 3, 2014, a License was issued to Arroyo.
4. On the application Arroyo submitted to the Oregon Insurance Division for the purpose of obtaining a License, in response to a question asking whether Arroyo was currently charged with a felony, Arroyo answered "No."
5. The Director, through the Oregon Insurance Division, received information prompting a background check on Arroyo. The background check revealed that that Arroyo was charged with two counts of Theft in the First Degree in the Circuit Court of the State of Oregon for the County of Marion on August 1, 2014.
6. The background check also revealed that Arroyo was convicted of one count of Theft in the First Degree, a felony, on December 5, 2014.
7. A review of agency records showed that Arroyo did not report that he had been charged with Theft in the First Degree before the 30th day after his initial pretrial hearing on that charge.

ULTIMATE FINDINGS OF FACT

1. At the time he submitted his application for the License, Arroyo was currently charged with two felonies that he did not disclose on the application.
2. Arroyo failed to report that he had been charged with a felony within 30 days of the initial pretrial hearing on that felony.
3. Arroyo was convicted on December 5, 2014, of Theft in the First Degree

CONCLUSIONS

1. Arroyo's statement on his application that he was not currently charged with a felony was incorrect, misleading, incomplete or materially untrue, and constitutes a basis to revoke Arroyo's License under ORS 744.074(1)(a).

2. Arroyo violated an insurance statute, ORS 744.089(2), by failing to timely report the criminal charges against him, which constitutes a basis to revoke Arroyo's License under ORS 744.074(1)(b).
3. Arroyo was convicted of felony Theft in the First Degree on December 5, 2014, which constitutes a basis to revoke Arroyo's License under ORS 744.074(1)(f).
4. Arroyo was convicted of Theft in the First Degree, which is a felony involving dishonesty or breach of trust, and which constitutes a basis to revoke Arroyo's License under ORS 731.428(4).
5. Each of the foregoing bases for revocation is sufficient, standing alone, to justify revocation of Arroyo's License.

ORDER

Juan C. Arroyo's Oregon resident insurance producer's license is hereby REVOKED.

Dated 9/3/15

/s/ Laura N. Cali

Laura N. Cali

Oregon Insurance Commissioner
for the Director, Department of Consumer
and Business Services

NOTICE OF RIGHT TO APPEAL: You are entitled to judicial review of this order in accordance with ORS 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon, within sixty (60) days from the service of this Final Order.