STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of the Application of Peter A. Kessler for an Oregon Non-Resident Insurance Producer's License	))))	**FINAL ORDER** **Case No. INS 15-06-046**

On August 4, 2015, the Director of the Oregon Department of Consumer and Business Services ("Director"), by and through the Insurance Division, properly served notice on Peter A. Kessler ("Kessler") that the Director intended to deny Kessler's application for an Oregon nonresident insurance producer license.

The notice offered Kessler an opportunity for hearing if requested within 60 days of service of the notice. The notice also designated the relevant portions of the Insurance Division's files on this matter, including all materials submitted by Kessler, as the record for purpose of default.

Although he sent additional materials, which the Director has placed in the file, Kessler did not request a hearing in response to the notice.

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

FINDINGS OF FACT

1. Peter A. Kessler ("Kessler") applied for an Oregon Non-Resident Insurance Producer's License ("License") on or about May 19, 2015.
2. On his application, in response to a question asking whether Kessler had ever been named or involved in an administrative proceeding, Kessler answered "No."
3. A review of online records revealed that Kessler had in fact been involved in an administrative proceeding in Florida in 2011.
4. On October 27, 2011 the Chief Financial Officer, as head of the Florida Department of Financial Services, issued an order in which Kessler was placed on probation for a period of one year and ordered to pay an administrative penalty of $5,000.

5. On May 27, 2015, an Oregon Insurance Division investigator sent a letter to Kessler to inquire about the inaccurate application and to inform him that his application would remain incomplete until he provided documents regarding the Florida administrative proceeding as required by the license application. The letter requested that Kessler respond by June 17, 2015.

6. Kessler did not respond by June 17, 2015.

ULTIMATE FINDINGS OF FACT

Kessler was involved in a Florida administrative proceeding in 2011 and omitted any mention of that administrative proceeding from his application.

CONCLUSION OF LAW

By omitting mention of his Florida administrative proceeding from his May 19, 2015, application, Kessler provided incorrect, misleading, incomplete or materially untrue information in a License application. Under ORS 744.074(1)(a), the Director may refuse to issue an insurance producer license if the applicant provides incorrect, misleading, incomplete or materially untrue information in a license application.

ORDER

Peter A. Kessler's application for an Oregon nonresident insurance producer's license is hereby DENIED.

Dated 11/6/15

/s/ Laura N. Cali
Laura N. Cali
Oregon Insurance Commissioner
for the Director, Department of Consumer and Business Services

Appeal Rights: 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 60 days from the date of this order. Tape recordings of Administrative Hearings are retained 90 days after the date of the final order.