STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of: HAROLD BARSON, Applicant.	Case No. INS-16-0091 FINAL ORDER TO CEASE AND DESIST AND ORDER DENYING APPLICATION, ENTERED BY DEFAULT

On March 3, 2016, the Director of the Department of Consumer and Business Services ("Director"), by and through the Division of Financial Regulation ("Division"), properly served Notice on Harold Barson ("Applicant") that the Director intended to refuse to issue Applicant's Non-resident Insurance Producer License.

The Notice offered Applicant an opportunity for a hearing, if requested within 60 days. The Notice further informed Applicant that if a hearing was not conducted because Applicant did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Applicant in this case would automatically become part of the contested case record for the purpose of proving a *prima facie* case.

The Director did not receive from Applicant a request for a hearing and did not conduct a hearing.

The Director finds that the record of this proceeding proves a *prima facie* case.

The Director makes the following Findings of Fact, Conclusions of Law, Orders, and Notice of Right to Judicial Appeal.

FINDINGS OF FACT

The Director FINDS that:

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

1. Applicant applied for a Non-Resident Insurance Producer License ("License") on or around November 23, 2015. Applicant's national producer number is 34976.

2. As part of the application process, Applicant completed and submitted to the Division of Financial Regulation ("Division"), formerly the Insurance Division, an application form indicating that they had never been named or involved as a party in an administrative proceeding.

3. During review of the application, the Division learned that Applicant was involved in administrative proceedings in Utah in 1985 and in 2002.

4. On December 2, 2015, the Division sent a letter to Applicant requesting a copy of the Utah administrative orders and an explanation surrounding the incidents. The Division set a response deadline of December 30, 2015. Applicant did not respond to the Division's request.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

5. Accurate information about Applicant's history of administrative action is material to the Director's decision whether to issue a License.

6. Applicant's representation in his application that he had never been named or involved as a party in an administrative proceeding was incorrect, misleading, incomplete or materially untrue.

7. Under ORS 731.260, no person shall file with the Director any application known to be false or misleading.

8. Under ORS 744.074(1)(a), the Director may refuse to issue an insurance producer license and may take other actions authorized by the Insurance Code in lieu thereof or in addition thereto, if an applicant provides incorrect, misleading, incomplete or materially untrue information in the license application.

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9. Applicant's failure to timely respond to the Division's request for information to complete the Applicant's application has resulted in the application being incomplete.

ORDER

Now therefore, the Director issues the following Orders:

10. As authorized by ORS 731.252(1), the Director ORDERS Applicant to CEASE AND DESIST from violating any provision of the Insurance Code or the administrative rules promulgated thereunder.

11. The Director, pursuant to ORS 744.074(1)(a), hereby DENIES Applicant's application for a Non-Resident Insurance Producer License.

SO ORDERED this 10 day of May , 2016 in Salem, Oregon.

PATRICK M. ALLEN, Director
Department of Consumer and Business Services

/s/ Laura Cali
Laura N. Cali, Insurance Commissioner
Administrator, Division of Financial Regulation

NOTICE OF RIGHT TO JUDICIAL 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 60 days from the date this order is served.

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