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

In the Matter of: DANIEL RODRIGUEZ, Applicant.	Case No. INS-16-0225 ORDER TO CEASE AND DESIST, FINAL ORDER TO ISSUE LICENSE, FINAL ORDER ASSESSING CIVIL PENALTY AND CONSENT TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), acting in accordance with Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 ("Insurance Code") and specifically ORS 744.074, has conducted an investigation into the Non-Resident Insurance Producer License application of Daniel Rodriguez ("Applicant").

Applicant wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signature(s) subscribed on this Order, Applicant hereby CONSENTS to entry of this Order.

FINDINGS OF FACT

The Director FINDS that:

1. Applicant has applied for a Non-Resident Insurance Producer License ("License").

2. As part of the application process, Applicant completed and submitted to the Division of Financial Regulation ("Division") an application form indicating that they had never been subject to administrative action.

3. During review of the application, the Division learned that Applicant was

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subject to five administrative actions from other states which had not previously been reported to the Division, as follows:

a. In Ohio in 2015 for Criminal Record/History;

b. In North Carolina in 2015 for Failure to Report Other State Action;

c. Order No. 15-0024, in Washington in 2015, for Failure to Respond, Failure to Report Other State Action, and Failure to Notify Department of Address Change;

d. In Wyoming in 2015 for Misstatement on Application, Failure to Report Other State Action, and Criminal Record/History; and

e. In South Dakota in 2015, for Failure to Notify Department of Address Change and Failure to Report Other State Action.

4. After the application was filed, and the prior administrative actions discovered, Applicant admitted to being the subject of these actions.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

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

6. Applicant's representation in their application that they had not been subject to administrative action 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.

9. Under ORS 731.988(1) the Director may impose a civil penalty of up to

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$1,000 per violation upon any individual who violates a provision of the Insurance Code.

ORDERS

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. Based upon the foregoing and in accordance with ORS 731.988(1), the Director ORDERS that a Non-Resident Insurance Producer License be issued to Applicant, subject to a CIVIL PENALTY of $500 for providing incorrect, misleading, incomplete, or materially untrue information in a license application.

12. The CIVIL PENALTY assessed herein is due and payable at the time this Order is returned to the Division.

SO ORDERED this 26th day of July, 2016.

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

/s/ David Tatman
David C. Tatman, Chief of Enforcement
Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Daniel Rodriguez, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Insurance Code by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Daniel Rodriguez

Signature

State of Iowa

County of Johnson

Signed or attested before me on this 25th day of July, 2016 by Daniel Rodriguez.

/s/ Bethany Horning

Notary Public

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