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

In the Matter of:	Case No. INS-16-0124
SAENG T. CHAO, Applicant.	FINAL ORDER TO CEASE AND DESIST AND ORDER DENYING LICENSE APPLICATION, ENTERED BY DEFAULT

On April 26, 2016, the Director of the Department of Consumer and Business Services ("Director"), by and through the Division of Financial Regulation ("Division"), formerly the Insurance Division, properly served notice ("Notice") on Saeng T. Chao ("Applicant") that the Director intended to issue an order denying Applicant's nonresident insurance producer license application.

The Notice offered Applicant an opportunity for a hearing if requested within 60 days of service of the Notice. 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 Division'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.

Now, therefore, after considering the relevant portions of the Division's file relating to this matter, the Director finds and orders as follows.

FINDINGS OF FACT

The Director FINDS that:

1. Applicant applied for an Oregon nonresident insurance producer license

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("License") on or around June 8, 2015. Applicant's national producer number is 16690193.

2. As part of the application process, Applicant completed and submitted to the Division an application form indicating that he 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 a California administrative proceeding, File No. LBB 7430-AP, on June 13, 2012, which resulted in issuance of a restricted license and a monetary penalty.

4. After the application was filed, and the prior administrative action was discovered, Applicant admitted to being the subject of the California administrative proceeding and provided details surrounding the incident.

5. On March 22, 2016, the Division offered by means of a Consent Order to issue the License subject to a civil penalty. Applicant, through lack of response, declined the issuance of his License subject to a civil penalty.

6. On April 26, 2016, the Division properly served notice on Applicant that the Director intended to deny Applicant's nonresident insurance producer license application. Applicant had 60 days to timely request a hearing. The Division did not receive a request for hearing from Applicant.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

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

8. 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.

9. 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.

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. The Director, pursuant to ORS 744.074(1)(a), hereby DENIES Applicant's application for a nonresident insurance producer license.

SO ORDERED this 5th day of August, 2016.

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

/s/ David Tatman
David C. Tatman, Chief of Enforcement
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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