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

In the Matter of:	Case No. INS-16-0357
JOSHUA MORGAN, Respondent.	FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On November 8, 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 Joshua Morgan ("Respondent") that the Director intended to revoke Respondent's Oregon nonresident insurance producer license ("License").

The Notice offered Respondent an opportunity for a hearing, if requested within 30 days. The Notice further informed Respondent that if a hearing was not conducted because Respondent did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Respondent 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 Respondent 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:

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1. Respondent applied for and obtained a Non-Resident Insurance Producer License ("License") on or around on November 21, 2012.

2. Respondent applied to renew his License on or around on September 2, 2015.

3. After the License was renewed, the Division learned that Respondent had received a 1033 waiver from his resident state of Washington on January 4, 2014 in reference to the Washington license he received in 2011.

4. The Division attempted to call Respondent at his listed phone number and the person that answered stated that it was a wrong number.

5. The Division sent multiple emails to Respondent in July 2016 requesting that he complete a 1033 for Oregon.

6. Respondent failed to respond to the Division and complete a 1033 as required for the state of Oregon.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

7. Under Oregon Revised Statutes ("ORS") 744.074(1)(a), the Director may place a licensee on probation or suspend, revoke or refuse to issue or renew an insurance producer license, if an Respondent provides incorrect, misleading, incomplete or materially untrue information in the license application. Respondent failed to inform the Division that his Washington resident license was based on a 1033 waiver. Failure to provide the information required to obtain a 1033 waiver resulted in an incomplete application.

8. ORS 731.296 states the Director may address any proper inquiries to any insurer, licensee or its officers in relation to its activities or condition or any other matter connected with its transactions. Any such person so addressed shall promptly and truthfully reply to such inquiries using the form of communication requested by the

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director. Respondent violated ORS 731.296 by failing to respond to the Director's request dated July 8, 2016 and July 27, 2016.

ORDER

Now therefore, the Director issues the following Orders:

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

10. The Director, pursuant to ORS 744.074(1)(a) and ORS 731.296, hereby REVOKES Respondent's Oregon nonresident insurance producer license.

SO ORDERED this 16th day of December, 2016 in Salem, Oregon.

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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