STATE OF OREGON

DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

DIVISION OF FINANCIAL REGULATION

IN THE MATTER OF:	)	FINAL ORDER
Tesoaria Vineyard and Winery, LLC	)	OAH No. 2017-ABC-00731
	)	DFR Case No. INS-WCA 17-04-010

Procedural History

On February 28, 2017, SAIF Corporation (SAIF) issued a Final Premium Audit Billing for the period September 1, 2015 through September 1, 2016 to Tesoaria Vineyard and Winery, LLC (the employer). On April 28, 2017 the employer appealed the Audit Billing to the Department of Consumer and Business Services (DCBS). On June 30, 2017, DCBS referred the hearing request to the Office of Administrative Hearings (OAH). A Stay of Collections for $7,858.53 was issued on July 18, 2017 by Administrative Law Judge (ALJ) Rick Barber. The OAH assigned Senior ALJ Joe L. Allen to preside over the hearing in this matter. Senior ALJ Allen set this matter for an in-person hearing on April 11, 2018. The employer failed to appear at the hearing. ALJ Allen issued a Proposed Order of Dismissal on June 21, 2018 dismissing employer's request for a contested case hearing and resolving that the Final Premium Audit Billing dated February 28, 2017 remains undisturbed.

Findings of Fact, Conclusions of Law and Opinion

The Director adopts, and incorporates herein by this reference, the findings of fact, conclusions of law, and reasoning of the Proposed Order as the findings of fact, conclusions of law, and reasoning of this final order.

Order

Notice of Right to Judicial Review

A party has the right to judicial review of this order pursuant to ORS 183.480 and ORS 183.482. A party may request judicial review by sending a petition for judicial review to

the Oregon Court of Appeals. The court must receive the petition within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the date the party received the order. If the order was mailed to a party, then the date of service is the date the order was mailed to the party, not the date the party received the order. If a party files a petition, the party is requested to also send a copy of the petition to the Division of Financial Regulation.

Dated: September 26, 2018

Andrew R. Stolfi
Administrator/Insurance Commissioner
Division of Financial Regulation
Department of Consumer and Business Services

BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF OREGON
for the
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

IN THE MATTER OF:	)	**ORDER OF DISMISSAL**
	)	
TESOARIA VINEYARD AND WINERY, LLC	)	OAH Case No. 2017-ABC-00731
	)	Agency Case No. INS-WCA 17-04-010

FINDINGS OF FACT

(1) On February 28, 2017, SAIF Corporation (SAIF or the insurer) issued a Final Premium Audit Billing for the period September 1, 2015 through September 1, 2016 to Tesoaria Vineyard and Winery, LLC (the employer).

(2) On June 30, 2017, the Department of Consumer and Business Services (DCBS) referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Senior Administrative Law Judge (ALJ) Joe L. Allen to preside over the hearing in this matter.

(3) After multiple set-overs to allow the parties to engage in settlement discussions, Senior ALJ Allen set this matter for an in-person hearing on April 11, 2018.

(4) The employer failed to appear at the hearing.

ORDER

The employer's request for a contested case hearing is DISMISSED. The Final Premium Audit Billing in issue remains undisturbed.

Joe L. Allen
Senior Administrative Law Judge
Office of Administrative Hearings

CERTIFICATE OF MAILING

On June 21, 2018 I mailed the foregoing Order of Dismissal issued on this date in OAH Case No. 2017-ABC-00731.

By: First Class Mail

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