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

In the Matter of:	Case No. INS-17-0036
TIMOTHY ANDERSON, Respondent.	FINAL ORDER TO CEASE AND DESIST AND REVOKE LICENSE, ENTERED BY DEFAULT

On April 3, 2017, the Director of the Department of Consumer and Business Services ("Director"), by and through the Division of Financial Regulation ("Division"), properly served Notice on Timothy Anderson ("Respondent") that the Director intended to revoke Respondent's nonresident insurance producer 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.

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350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Respondent has been licensed as an Oregon nonresident insurance producer since June 15, 2015. Respondent's national producer number is 17617844.

2. As part of the application process in June 2015, Respondent completed and submitted to the Division of Financial Regulation ("Division") an application form indicating that he had never been convicted of a misdemeanor or felony.

3. On August 23, 2016, it came to the Division's attention that Respondent had been convicted of shoplifting in case no. S-2011-000296 on or about August 10, 2011 in the Deptford Township Municipal Court, New Jersey.

4. Respondent had also been convicted of the possession of marijuana in case no. S-2014-000688 on or about December 11, 2014 in the Glassboro Municipal Court, New Jersey.

5. On September 30, 2016, Respondent sent a letter to the Division disclosing the following information:

A. On April 15, 2016, Respondent was charged with larceny in the 6th degree in case no. T19R-CR16-0108798-S in Rockville, Connecticut. Respondent was convicted of the larceny charge on May 18, 2016.

B. On May 22, 2016, Respondent was charged with driving under the influence and reckless driving in case no. H14H-MV16-0502901-S in Connecticut. Respondent stated the case was resolved on September 23, 2016.

C. On June 5, 2016, Respondent was charged with evading responsibility with injury or property damage in case no. H14H-MV16-0503161-S in Connecticut. Respondent stated the case was resolved on September 23, 2016.

6. Respondent was subject to two administrative orders in Louisiana. The first order was effective September 7, 2016 and imposed a fine of $250 for failure to disclose his convictions on his nonresident producer license application. The second order was effective January 6, 2017 suspending Respondent's license for failing to pay the imposed

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fine.

7. Respondent was also subject to an administrative order in Georgia suspending Respondent's insurance producer license based on Respondent's failing to respond to a request for documents.

8. Respondent failed to disclose the administrative actions within 30 days.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

9. Under ORS 744.074(1)(a), the Director may revoke an insurance producer license if an applicant provides incorrect, misleading, incomplete or materially untrue information in the license application. Respondent provided incorrect or misleading information on his nonresident insurance producer license application in June 2015.

10. Pursuant to ORS 744.074(1)(i), the Director may revoke an insurance producer license based on the cancellation, revocation, suspension or refusal to renew by any state of an insurance producer license. Respondent's nonresident insurance producer licenses have been suspended in Louisiana and Georgia.

11. Under ORS 744.089(1), an insurance producer shall report to the Director any administrative action taken against the insurance producer in another jurisdiction not later than the 30th day after the date of the final disposition of the matter. Respondent failed to notify the Director of the two administrative actions within 30 days of the final disposition of the matters.

12. Pursuant to ORS 744.089(2), no later than the 30th day after the initial pretrial hearing date, an insurance producer shall report to the director any criminal prosecution of the insurance producer taken in any jurisdiction. Respondent failed to notify the Director within 30 days of the initial pretrial hearing for the charges of larceny, driving under the influence, reckless driving and evading responsibility.

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13. Under ORS 744.074(1)(b), the Director may revoke an insurance producer license for violating any insurance laws, or violating any rule, subpoena or order of the director or of the insurance commissioner of another state. Respondent violated ORS 744.089, an insurance law, by failing to report his administrative actions and criminal charges within 30 days.

ORDER

Now therefore, the Director issues the following Orders:

14. 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.

15. The Director, pursuant to ORS 744.074(1)(a), (b) and (i), hereby REVOKES Respondent's nonresident insurance producer license.

SO ORDERED this 5th day of May, 2017 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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