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

In the Matter of:	Case No. INS-17-0102
RENIEL R. DIAZ, Respondent.	FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On July 31, 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 Reniel R. Diaz ("Respondent") that the Director intended to revoke Respondent's Oregon resident 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 has been licensed as an Oregon resident insurance producer since May 15, 2014. Respondent's national producer number is 17268955.

2. At all times relevant to this investigation, Respondent was employed by Farmers Insurance ("Farmers").

3. On December 21, 2016, the Division of Financial Regulation ("Division") received a consumer complaint from A.M. regarding Respondent's conduct after ending their relationship.

4. A.M. had coverage under Farmers automobile insurance policy # 185024023 commenced as new business effective July 15, 2015, for a six month term and renewed for subsequent terms thereafter. Respondent was the agent of record for the policy.

5. Effective June 23, 2016, Respondent became the named insured. Respondent and A.M. were rated drivers on the policy. The two insured vehicles were a 2014 Smart Fortwo and a 2016 Volvo.

6. On December 6, 2016, Respondent removed the Volvo from the policy effective the same day.

7. On the same day, Respondent called A.M. while she was at work and repeatedly told her to make sure she was safe to drive and that she had insurance.

8. After ending the conversation with Respondent, A.M. called Respondent's district manager and inquired about the status of her insurance policy. The district manager confirmed that the Volvo had been removed from the policy. At A.M.'s request, the district manager added the Volvo back on as an insured vehicle to the policy.

9. Later on December 6, 2016, Respondent called the customer service department and requested that the Volvo be removed from the policy. The customer service representative processed the request.

10. On December 9, 2016, A.M. called the district manager to cancel her policy. The district manager informed A.M. the cancelation that took place after their

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conversation on December 6, 2016. The district manager added the Volvo back on to the policy effective December 6, 2016 then removed A.M. as a driver and removed the Volvo from the policy effective December 9, 2106 per A.M.'s request.

11. On February 7, 2017, the Director sent a certified letter to Respondent's business address, which is also listed as his mailing address, requesting a response within 21 days.

12. On May 2, 2017, the Director sent another certified letter to Respondent's business and residence addresses. The certified letter sent to Respondent's business address was delivered and signed for by Jacky Jacobo dated May 4, 2017. The certified letter sent to Respondent's residence address was delivered on May 8, 2017.

13. As of July 27, 2017, Respondent has not responded to the multiple inquiries by the Director.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

14. Pursuant to Oregon Revised Statutes ("ORS") 744.074(1)(h), the Director may revoke an insurance producer licensee for using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere. Respondent used dishonest practices by canceling the joint policy he had with A.M. without her consent.

15. Pursuant to ORS 731.296, 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 Director. Respondent failed to respond to multiple inquiries by the Director.

16. Pursuant to ORS 744.074(1)(b), the Director may revoke an insurance producer licensee for violating any insurance laws, or violating any rule, subpoena or

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order of the Director. ORS 731.296 is an insurance law violated by Respondent.

ORDER

Now therefore, the Director issues the following Orders:

17. 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.

18. The Director, pursuant to ORS 744.074(1)(b) and (h), hereby REVOKES Respondent's Oregon resident insurance producer license.

SO ORDERED this 1st day of September, 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

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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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