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

In the Matter of: SANDRA L. DIESEL, Licensee.	Case No. INS-16-0341 FINAL ORDER TO CEASE AND DESIST, FINAL ORDER DENYING LICENSE APPLICATION AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On February 10, 2017, the Director of the Department of Consumer and Business Services ("Director"), by and through the Division of Financial Regulation ("Division"), properly served notice ("Notice") on Sandra L. Diesel ("Licensee") that the Director intended to issue an order denying Licensee's license application and revoking Licensee's nonresident insurance producer license.

The Notice offered Licensee an opportunity for a hearing if requested within 20 days of service of the Notice. The Notice further informed Licensee that if a hearing was not conducted because Licensee did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file and all materials submitted by Licensee 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 Licensee 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. Licensee has been a licensed Oregon nonresident individual insurance

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producer since March 27, 2013. Licensee's national producer number is 16774045.

2. Licensee was convicted of identity theft in Pennsylvania in 2009.

3. On or around March 17, 2014, the Insurance Commissioner of the State of West Virginia issued a Final Order, No. 14-AP-PRLC-02003, revoking Licensee's West Virginia license.

4. On or around July 10, 2014, the Virginia State Corporation Commission issued an Order Revoking License against Licensee, Case No. INS-2014-00091, revoking Licensee's Virginia license.

5. On February 13, 2015, Licensee submitted an application for an Oregon resident individual insurance producer license ("Resident License Application").

6. On November 29, 2015, Licensee submitted an application for renewal of her Oregon nonresident insurance producer license ("Nonresident License Application").

7. On November 30, 2015, Licensee's Oregon nonresident insurance producer license expired.

8. On December 16, 2015, the Director denied Licensee's Resident License Application for providing incorrect, misleading, incomplete or materially untrue information in her application and for being convicted of a crime of dishonesty.[1]

9. On February 10, 2017, the Division properly served notice on Licensee that the Director intended to deny Licensee's Nonresident License Application and revoke Licensee's nonresident insurance producer license. Licensee had 20 days to timely request a hearing. The Division did not receive a request for hearing from Licensee.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

10. Under ORS 731.252(1), whenever the Director has reason to believe that any person has been engaged or is engaging or is about to engage in any violation of the

[1] Case No. INS 15-03-003

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Insurance Code, the Director may issue an order to discontinue or desist from such violation or threatened violation.

11. Under ORS 744.011(1), the expiration of a license shall not deprive the Director of jurisdiction to proceed with any investigation of, or any action or disciplinary proceedings against, the licensee.

12. Under ORS 744.074(1)(f), the Director may revoke or refuse to issue or renew an insurance producer license for having been convicted of a felony or a misdemeanor involving dishonesty or breach of trust.

13. Identity theft is a misdemeanor involving dishonesty or breach of trust.

14. Under ORS 744.074(1)(i), the Director may revoke or refuse to issue or renew an insurance producer license for cancellation, revocation, suspension or refusal to renew by any state of a license or other evidence of authority to act as an adjuster or insurance producer or consultant.

ORDERS

Now, therefore, the Director issues the following Orders:

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

16. Based upon the foregoing and in accordance with ORS 744.074(1)(f), the Director hereby DENIES Licensee's Nonresident License Application for having been convicted of a misdemeanor involving dishonesty or breach of trust.

17. Based upon the foregoing and in accordance with ORS 744.074(1)(f), the Director hereby REVOKES Licensee's Oregon nonresident insurance producer license for having been convicted of a misdemeanor involving dishonesty or breach of trust.

18. Based upon the foregoing and in accordance with ORS 744.074(1)(i), the Director hereby DENIES Licensee's Nonresident License Application for (1) revocation

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of her West Virginia license by the Insurance Commissioner of the State of West Virginia, and (2) revocation of her Virginia license by the Virginia State Corporation Commission

19. Based upon the foregoing and in accordance with ORS 744.074(1)(i), the Director hereby REVOKES Licensee's Oregon nonresident insurance producer license for (1) revocation of her West Virginia license by the Insurance Commissioner of the State of West Virginia, and (2) revocation of her Virginia license by the Virginia State Corporation Commission.

SO ORDERED this 17th day of April, 2017.

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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