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

In the Matter of:	Case No. INS-17-0001
MARK BUCZKO, Respondent.	ORDER TO CEASE AND DESIST, FINAL ORDER TO ISSUE LICENSE, FINAL ORDER ASSESSING CIVIL PENALTY AND CONSENT TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), acting in accordance with Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 ("Insurance Code") and specifically ORS 744.074, hereby has conducted an investigation into the nonresident insurance producer license ("License") application of Mark Buczko ("Respondent").

Respondent wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signature(s) subscribed on this Order, Respondent hereby CONSENTS to entry of this Order.

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Respondent has had an Oregon License since November 18, 2004. His national producer number is 2119819.

2. Respondent applied for a renewal of his License on or around July 22, 2015. The renewal was granted on August 18, 2015.

3. As part of the application process, Respondent completed and submitted to the

Insurance Division, now known as the Division of Financial Regulation ("Division"), an application form indicating that he had never been named or involved as a party in an administrative proceeding.

4. During review of the application, the Division learned that Respondent was involved in administrative proceedings in Florida in 2014 that was not previously disclosed to the Division, for demonstrated lack of fitness or trustworthiness, resulting in denial of a license.

5. On August 19, 2015, the Division sent a letter to Respondent requesting a copy of the Florida administrative order and an explanation surrounding the incident. The Division set a response deadline of September 9, 2015. Respondent did not respond to the Division's request.

6. On March 21, 2016, Respondent was properly served with a Notice Order proposing to revoke Respondent's License. Per the order, Respondent had 60 days to request a hearing. Since Respondent failed to request a hearing, a Final Order revoking Respondent's License was issued on June 2, 2016.

7. On October 13, 2016, Respondent sent a response to the Final Order dated June 2, 2016, stating that he misunderstood that the Florida letter of denial was an administrative action and that he forwarded the Director's August 19, 2015 letter to his employer's centralized licensing department for handling, per company policy. The centralized licensing department neglected to submit a response to the Director. Respondent requested that his license be reinstated.

8. The Director agreed to allow Respondent to reapply for a license.

9. On December 12, 2016, Respondent applied for a new Oregon nonresident insurance producer license and provided all required disclosures.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

10. Under ORS 744.074(1)(a), the Director may refuse to issue an insurance producer license and may take other actions authorized by the Insurance Code in lieu thereof or in addition thereto, if an Respondent provides incorrect, misleading, incomplete or materially untrue information in the license application. Respondent's representation in his application that he had never been named or involved as a party in an administrative proceeding was incorrect, misleading, incomplete or materially untrue.

11. 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 violated ORS 731.296 by failing to respond to the Director's request dated August 19, 2015.

12. An insurance producer shall report to the Director any administrative action taken against the insurance producer in another jurisdiction or by another governmental agency in this state not later than the 30th day after the date of the final disposition of the matter, under ORS 744.089(1). Respondent failed to notify the Director of the administrative action within 30 days of the final disposition of the matters.

13. Under ORS 731.988(1), the Director may impose a civil penalty of up to $1,000 per violation upon any individual who violates a provision of the Insurance Code.

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

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administrative rules promulgated thereunder.

15. The Director ORDERS that Respondent's Oregon Nonresident Insurance Producer's License is issued, subject to a CIVIL PENALTY of $1000 for failing to respond to the Director's inquiry and failing to notify the Director of an administrative action within 30 days.

16. The CIVIL PENALTY assessed herein is due and payable at the time this Order is returned to the Division.

SO ORDERED this 19th day of January, 2017.

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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CONSENT TO ENTRY OF ORDER

I, MARK BUCZKO, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Insurance Code by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ MARK BUCZKO

Signature

State of IL

County of Cook

Signed or attested before me on this 11 day of January , 2017 by MARK BUCZKO.

/s/ Rita L. Lowden

Notary Public

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