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

In the Matter of: THOMAS IN, Respondent.	Case No. INS-17-0067 ORDER TO CEASE AND DESIST, FINAL ORDER REVOKING LICENSE 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, 743B, 744, 746, 748 and 750 ("Insurance Code"), has conducted an investigation into Thomas In ("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 resident insurance producer license since June 17, 2011. Respondent's national producer number is 16241069.

2. At all times relevant to this investigation, Respondent was appointed with Allstate Insurance.

3. On July 31, 2016, R.J. filed a consumer complaint with the Division of Financial Regulation ("Division") regarding the attempted purchase of a boat insurance policy from Respondent as outlined by the facts below.

4. On June 13, 2016, an existing insured, R.J., contacted Respondent by electronic mail ("email") to tell him that R.J. has taken possession of a boat and needed to purchase a boat insurance policy. Respondent made a request for additional information including year, make, model and other applicable information. R.J. replied with the requested information on the same evening.

5. On June 20 and 21, 2016, R.J. followed up with Respondent by email regarding the requested quote.

6. After not receiving a response, R.J. called Respondent on June 28, 2016 to follow up on the requested quote. Respondent stated that he had previously sent R.J. a quote by email. R.J. received a quote from Respondent that day. R.J. responded to the email on the same day indicating that he accepted the quote and wanted to begin the policy.

7. R.J. followed up with Respondent by email on June 29, 2016 and July 2, 2016 on the status of the policy.

8. On July 14, 2016, R.J.'s boat was lost in a fire. R.J. called Respondent to inform him of the loss. Respondent stated that boat insurance policy was incomplete due to a lack of payment information. Respondent stated that he had sent a request for payment on July 5, 2016. R.J. requested that the email be forwarded to him because he had not received it.

9. R.J. received an email on July 14, 2016 at 3:26pm after his phone discussion with Respondent that was a response to R.J.'s July 2, 2016 email. R.J. called Respondent and asked why he replied to his email with information they had just discussed over the phone. Respondent told R.J. that he was trying to forward a copy of the email he sent him on July 5, 2016.

10. Respondent sent R.J. another email time stamped 5:06pm. R.J. noticed that the body of the email was identical to the email that was sent at 3:26pm and the date of

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

the email appeared to be altered. The date stated "Tuesday, July 5th, 2016." No previous email responses included alphabetical letters, such as "th" in the date.

11. During Allstate's investigation, Guidance Software Contractor Chris Rogers ("Rogers") told Allstate that he completed an electronic data search of Respondent's Allstate email account and was unable to find any email correspondence sent from Respondent to R.J. dated July 5, 2016.

12. Rogers also confirmed that the standard configuration in Outlook for the sent field was numbered dates and did not include any alphabetical letters, such as "th."

13. On or about January 4, 2017, Allstate Insurance notified the Division that Respondent was terminated for cause for falsifying correspondence with a customer.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

14. Under ORS 744.074(1)(h), the Director may revoke an insurance producer license 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 violated ORS 744.074(1)(h) by modifying the electronic communications to R.J.

ORDERS

Now therefore, the Director issues the following Orders:

15. 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.

16. Based upon the foregoing and in accordance with ORS 744.074(h), the Director ORDERS a REVOCATION of Respondent's Oregon resident insurance

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

producer license.

17. Respondent agrees to a permanent bar from reapplying as an insurance producer in Oregon.

SO ORDERED this 14th day of July, 2017.

PATRICK M. ALLEN, Director
Department of Consumer and Business Services

/s/ David Tatman
David C. Tatman, Chief of Enforcement
Division of Financial Regulation

[The remainder of this page intentionally left blank.]

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

CONSENT TO ENTRY OF ORDER

I, THOMAS IN, 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/ Thomas In

Signature

State of Oregon

County of Washington

Signed or attested before me on this 06th day of July, 2017 by THOMAS IN.

/s/ Sara Elizabeth Priebe

Notary Public

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