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

In the Matter of:	Case No. INS-17-0131
LUCAS KRAXBERGER, Respondent.	FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On November 3, 2017, the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), by and through the Division of Financial Regulation ("Division"), properly served notice ("Notice") on Lucas Kraxberger ("Respondent") that the Director intended to issue an order revoking Respondent's resident insurance producer license.

The Notice offered Respondent an opportunity for a hearing if requested within 20 days of service of the Notice. 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 Division'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.

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. Respondent is an Oregon resident with his last recorded residence and mailing

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address at 349 S Fir Street, Canby, OR 97013. Respondent was a licensed resident individual insurance producer from August 8, 2014 until his license expired on July 31, 2017.

2. On or before March 4, 2016, Respondent was appointed as a representative with State Farm Life Insurance Company ("State Farm").

3. On March 4, 2016, Respondent submitted a life insurance application for Oregon consumer "EP." The application contained the signature of EP. EP later explained to State Farm that she did not request a life insurance policy and the signature on the application was not hers.

4. On April 12, 2016, Respondent submitted a life insurance application for Oregon consumer "TR." The application contained the signature of TR. TR later explained to State Farm that she did not request a life insurance policy and the signature on the application was not hers.

5. On April 20, 2016, Respondent submitted a life insurance application for Oregon consumer "DC." The application contained the signature of DC. DC later explained to State Farm that he did not request a life insurance policy and the signature on the application was not his.

6. On August 10, 2016, the Division received notification from State Farm that Respondent's appointment as a licensed representative for State Farm had been terminated for cause.

7. On November 3, 2017, the Division properly served notice on Respondent that the Director intended to revoke Respondent's resident insurance producer license. Respondent had 20 days to timely request a hearing. The Division did not receive a request for hearing from Respondent.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

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

9. Pursuant to ORS 744.011(1), the expiration of a license or the voluntary surrender of a license by a licensee under this chapter shall not deprive the Director of jurisdiction to proceed with any investigation of, or any action or disciplinary proceedings against, the licensee or to revise or render void an order suspending or revoking the license.

10. Pursuant to ORS 744.074(1)(h), the Director may place a licensee on probation or suspend, revoke or refuse to issue or renew an insurance producer license and may take other actions authorized by the Insurance Code in lieu thereof or in addition thereto, for using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

11. Respondent used fraudulent, coercive or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility on three different occasions as described in Paragraph 3 through Paragraph 5.

12. Pursuant to ORS 744.074(1)(k), the Director may place a licensee on probation or suspend, revoke or refuse to issue or renew an insurance producer license and may take other actions authorized by the Insurance Code in lieu thereof or in addition thereto, for forging another person's name to an application for insurance or to any document related to an insurance transaction.

13. Respondent forged another person's name to an application for insurance on

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three different occasions as described in Paragraph 3 through Paragraph 5.

ORDERS

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. In accordance with ORS 744.074(1)(h), the Director REVOKES the insurance producer license of Respondent for using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility.

16. In accordance with ORS 744.074(1)(k), the Director REVOKES the insurance producer license of Respondent for forging another person's name to an application for insurance.

SO ORDERED this 27th day of November, 2017.

JEAN M. STRAIGHT, Acting 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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