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

In the Matter of: MARYMARIE MASON, Applicant.	Case No. INS-17-0111 FINAL ORDER TO CEASE AND DESIST, FINAL ORDER DENYING LICENSE APPLICATION, AND ASSESSING A CIVIL PENALTY, ENTERED BY DEFAULT

On August 22, 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 MARYMARIE MASON ("Applicant") that the Director intended to deny the Applicant's resident insurance producer license application of and assess a civil penalty.

The Notice offered Applicant an opportunity for a hearing, if requested within 60 days. The Notice further informed Applicant that if a hearing was not conducted because Applicant did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Applicant 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 Applicant 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.

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FINDINGS OF FACT

The Director FINDS that:

1. Applicant applied for an Oregon resident insurance producer license ("License") on or around July 5, 2017. Applicant's national producer number is 16616645.

2. Applicant had previously applied for a License on October 14, 2016. Applicant was denied a License because she failed to disclose her criminal convictions on the application. Applicant requested a hearing regarding the denial of her License. The Division won on summary determination and issued a final order based on the administrative judge's order dated June 29, 2017.

3. As part of the application process on July 5, 2017, Applicant completed and submitted to the Division an application form indicating that she had never been convicted of a misdemeanor or felony.

4. Based on her previous application, the Division was aware that Applicant was convicted of multiple misdemeanors including: harassment in County of Lincoln on September 13, 2016, stalking in Sweetwater County on June 8, 2008, battery domestic violence in Nye County on February 28, 2003 and another battery domestic violence in Nye Count on December 15, 2002.

5. As part of the application process on July 5, 2017, Applicant completed and submitted to the Division an application form indicating that she had never been subject to administrative action.

6. The Division had issued an administrative order against Applicant on June 29, 2017.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

7. Accurate information about Applicant's history of criminal convictions and

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administrative actions are material to the Director's decision whether to issue a License.

8. Applicant's representations in her application that she had never been convicted of a misdemeanor and never a party to an administrative action were incorrect, misleading, incomplete or materially untrue.

9. Under ORS 744.074(1)(a), the Director may refuse to issue an insurance producer license, if an applicant provides incorrect, misleading, incomplete or materially untrue information in the license application.

10. Under ORS 744.074(1)(i), the Director may refuse to issue an insurance producer license, if there has been a cancellation, revocation, suspension or refusal to renew by any state of a license or other evidence of authority to act as an adjuster or an insurance producer or consultant. The record of the cancellation, revocation, suspension or refusal to renew shall be conclusive evidence of the action taken.

11. 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.

ORDERS

Now therefore, the Director issues the following Orders:

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

13. The Director, pursuant to ORS 744.074(1)(a) and (i), hereby DENIES Applicant's application for a resident insurance producer license.

14. Based upon the foregoing and in accordance with ORS 731.988(1), the Director ORDERS a CIVIL PENALTY of $1000 for providing false or misleading information in a license application.

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SO ORDERED this 25th day of October, 2017 in Salem, Oregon.

JEAN 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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