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

In the Matter of: TONYA M. PETTIT, Applicant.	Case No. INS-17-0127 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, 743B, 744, 746, 748 and 750 ("Insurance Code"), has conducted an investigation into the Oregon nonresident insurance producer license application of Tonya M. Pettit ("Applicant").

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

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

FINDINGS OF FACT

The Director FINDS that:

1. On August 29, 2017, Applicant submitted an application for an Oregon nonresident insurance producer license ("License"). Applicant's national producer number is 6423210.

2. As part of the application process, Applicant completed and submitted to the Division of Financial Regulation ("Division") an application form indicating that she had never been subject to administrative action.

3. During review of the application, the Division learned that Applicant was

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subject to administrative action on February 11, 2008, in the form of South Carolina Department of Insurance (DOI) Order No. 07-1149, which resulted in an Order Revoking [Applicant's] Resident Producer License.[1]

4. After the application was filed, and the prior administrative action was discovered, Applicant admitted to being the subject of that action.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

5. Accurate information about an applicant's history of administrative action is material to the Director's decision whether to issue a License.

6. DOI Order No. No. 07-1149 was an administrative action.

7. Applicant's representation in her application that she had not been subject to administrative action was incorrect, misleading, incomplete or materially untrue.

8. Under ORS 731.260, no person shall file with the Director any application known to be false or misleading.

9. 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 applicant provides incorrect, misleading, incomplete or materially untrue information in the license application.

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

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.

12. By filing an application known to be false or misleading, Applicant violated

[1] Pursuant to this order, Applicant was found to have failed to remit premiums to an insurer.

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ORS 731.260.

ORDERS

Now therefore, the Director issues the following Orders:

13. Based upon the foregoing and 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.

14. Based upon the foregoing and as authorized by ORS 731.988(1), the Director ORDERS that Applicant's Oregon nonresident insurance producer license be issued, subject to a CIVIL PENALTY of $250 for providing false or misleading information in a license application, in violation of ORS 731.260.

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

SO ORDERED this 15th day of December, 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

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CONSENT TO ENTRY OF ORDER

I, Tonya M. Petit, 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/ Tonya M. Pettit

Signature

State of Florida

County of Broward

Signed or attested before me on this 6th day of December, 2017 by Tonya M. Pettit.

/s/ Stephen Chattaway

Notary Public

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