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

In the Matter of: JEFFREY M. ROGERS, Applicant.	Case No. INS-17-0110 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") and specifically ORS 744.074(1) and ORS 744.053, has conducted an investigation into the resident insurance producer license application of Jeffrey M. Rogers ("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.

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. Applicant is employed by AOA West Insurance ("AOA"), an Oregon corporation with its principal place of business at 11560 SW 67th Avenue, Tigard, OR 97281. AOA has been a licensed resident insurance producer since June 30, 1990 and its national producer number is 5780651.

2. Applicant applied for a resident insurance producer license ("License") on

June 7, 2017. Applicant's national producer number is 18104549.

3. As part of the application process, Applicant completed and submitted to the Division of Financial Regulation ("Division") an application form indicating that he had been convicted of a misdemeanor. Applicant disclosed that he was convicted of third degree theft, a misdemeanor, in Washington County, Oregon on November 14, 2011.

4. During review of the application, the Division learned that Applicant was also convicted of assault/battery domestic violence, a misdemeanor, in Aurora, Colorado on March 13, 1996.

5. After the application was filed, and the prior criminal conviction was discovered, Applicant admitted that he had been convicted of assault/battery domestic violence in Colorado.

6. On June 7, 2017, Applicant stated in an email to the Division, "Up to recently I was mostly doing Customer Service in the office but have written a few policies as of late."

7. As of June 7, 2017, the Division had not approved Applicant's License application.

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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, directed to such person, to discontinue or desist from such violation or threatened violation.

9. Pursuant to 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. Applicant's failure to disclose the misdemeanor conviction described in Paragraph 4 caused the License application to be incorrect, misleading, incomplete or materially untrue.

11. Pursuant to ORS 744.053, a person may not sell, solicit or negotiate insurance in this state for any class or classes of insurance unless the person is licensed as an insurance producer for that class or those classes in accordance with ORS 744.052 to 744.089.

12. Applicant sold, solicited or negotiated insurance without a license as described in Paragraph 6 and Paragraph 7.

13. Pursuant to 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:

14. 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.

15. Based upon the foregoing and in accordance with ORS 731.988(1), the Director ORDERS that a resident insurance producer license be issued to Applicant, subject to a CIVIL PENALTY of $500 for violating ORS 744.053.

16. The Director SUSPENDS the collection of $250 of the CIVIL PENALTY assessed above, so long as Applicant complies with all terms and conditions of this Order and all requirements of the Insurance Code. If Applicant complies with the terms of this Order and the Director has not initiated an enforcement action for new violations of the Insurance Code during the three year period from the effective date of this Order, the

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Director WAIVES the collection of the suspended CIVIL PENALTY assessed herein.

17. The $250 CIVIL PENALTY assessed above that is not suspended is due and payable at the time this Order is returned to the Division.

SO ORDERED this 5th day of September, 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, Jeffrey M. Rogers, 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/ Jeffrey Rogers

Signature

State of Oregon

County of Washington

Signed or attested before me on this 29th day of Aug., 2017 by Jeffrey M. Rogers.

/s/ Michael B. Benda

Notary Public

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