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

In the Matter of:	Case No. INS-17-0039
HOLLEY A. THOMAS, Respondent.	FINAL ORDER TO CEASE AND DESIST AND ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On April 12, 2017, the Director of the Department of Consumer and Business Services for the State of Oregon ("the Director"), by and through the Division of Financial Regulation ("the Division"), properly served Notice on Holley A. Thomas that the Director intended to revoke her Oregon Nonresident Insurance Producer License ("License").

The Notice offered Thomas an opportunity for a hearing, if requested within twenty-one (21) days. The Notice further informed Thomas that if a hearing was not conducted because she did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file, which includes all materials Thomas submitted, would automatically become part of the contested case record for the purpose of proving a *prima facie* case.

Thomas has not made a written request for a contested hearing, and the time to do so has expired.

After considering the relevant portions of the Division's file in this matter, the Director finds that the record proves a *prima facie* case.

Now, therefore, the Director makes the following Findings of Fact and Conclusions of Law and issues the following Orders.

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. Thomas received her License on May 12, 2014. It expired on March 31, 2017. Her NAIC National Producer Number is 7626451.

2. On or about May 23, 2016, GEICO dismissed Thomas from employment for making unauthorized alterations to thirty-six (36) terminated GEICO motorcycle insurance policies in order to generate refund checks that were sent to her address or that of her parents.

3. Forty-three (43) refund checks amounting to $19,846.32 were issued to Thomas from these altered GEICO insurance policies. She was able to negotiate refund checks totaling $18,934.31.

4. Thomas was subsequently charged with felony embezzlement in Virginia Beach General District Court and arraigned on the charge on January 17, 2017. She failed to notify the Director of this criminal charge.

5. On August 4, 2016, Virginia, Thomas's home state, revoked her resident insurance producer license for violating the state's insurance laws.

6. Thomas's nonresident insurance producer licenses in Idaho, Indiana, and Mississippi, and North Dakota were revoked based on her home state's revocation of her resident insurance producer license. For the same reason, her nonresident insurance producer license in Arkansas was suspended.

7. Thomas's nonresident insurance producer licenses in Louisiana, Massachusetts, Nevada, Washington, and West Virginia were revoked because she violated each state's respective insurance laws.

8. Thomas failed to notify the Director of these administrative actions.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

9. Under ORS 744.011(1), the expiration of Thomas's License does not deprive the Director of jurisdiction to proceed with any action or disciplinary proceedings against Thomas.

10. Thomas violated ORS 744.089(1) by failing to notify the Director of administrative actions taken against her within 30 days of their final disposition.

11. Thomas violated ORS 744.089(2) by failing to notify the Director of the felony embezzlement charge against her within 30 days of the initial pretrial hearing date.

12. ORS 744.074(1)(b) authorizes the Director to revoke Thomas's License for violating the insurance laws of Oregon, Louisiana, Massachusetts, Nevada, Virginia, Washington, and West Virginia.

13. ORS 744.074(1)(h) authorizes the Director to revoke Thomas's license for making unauthorized alterations to GEICO insurance policies in order to collect refund checks from these policies.

14. ORS 744.074(1)(i) authorizes the Director to revoke Thomas's License based on the revocation of her resident insurance producer license in Virginia, the revocation of her nonresident insurance producer licenses in Idaho, Indiana, Louisiana, Massachusetts, Mississippi, Nevada, North Dakota, Washington, and West Virginia, and the suspension of her nonresident insurance producer license in Arkansas.

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ORDERS

Now therefore, the Director issues the following Orders:

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

16. The Director, pursuant to ORS 744.074(1)(b), (h), and (i), hereby REVOKES Holley A. Thomas's Oregon Nonresident Insurance Producer License.

SO ORDERED this 4th day of May, 2017.

PATRICK M. ALLEN, 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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