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

In the Matter of:	Case No. INS-17-0130
DYNA M. VANDOLAH, Respondent.	ORDER TO CEASE AND DESIST, FINAL ORDER TO REVOKE LICENSE, FINAL ORDER TO DENY LICENSE APPLICATION, 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 activities of Dyna M. Vandolah ("Respondent") and determined that Respondent engaged in violations of the Insurance Code.

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

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

FINDINGS OF FACT

The Director FINDS that:

1. Respondent has held an Oregon nonresident insurance producer license ("Nonresident License") since February 6, 2013. Respondent's national producer number is 16836526.

2. On June 29, 2017, Respondent submitted an application to transfer her Nonresident License to an Oregon resident insurance producer license.

3. At all relevant times, Respondent was employed by American-Amicable Life Insurance Company of Texas ("American-Amicable") as an insurance producer.

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4. At all relevant times, Respondent was a manager and partial owner of Chels Wellness International, LLC ("Chels").[1]

5. From in or around August 2016 through in or around September 2016, Respondent sold thirty-four insurance policies ("Policies"), the initial premiums of which were paid from bank accounts owned by Chels. There were no substantive connections between Chels and the individuals purchasing, and/or benefitting from, the Policies.[2]

6. At least one of the Policies was sold to an Oregon resident.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

7. By paying the initial premiums of the Policies from bank accounts owned by Chels, an entity Respondent managed and owned, Respondent paid a rebate for premiums on each of those Policies.

8. Under ORS 746.045(1), no person shall personally or otherwise offer, promise, allow, give, set off, pay or receive, directly or indirectly, any rebate of or rebate of part of the premium payable on an insurance policy or the insurance producer's commission thereon, or earnings, profit, dividends or other benefit founded, arising, accruing or to accrue on or from the policy, or any other valuable consideration or inducement to or for insurance on any domestic risk, which is not specified in the policy.

9. Under ORS 744.074(1), the Director may revoke or refuse to issue an insurance producer license and may take other actions authorized by the Insurance Code in lieu thereof or in addition thereto, for any one or more of the following causes:

(b) Violating any insurance laws of the Director.

(h) Using fraudulent, coercive or dishonest practices, or demonstrating

[1] Chels is registered in Oregon as an inactive domestic limited liability company. Chels is also registered in Nevada as an active domestic limited liability company under the name Chels Wellness International USA LLC.

[2] As of July 7, 2017, each of the Policies had lapsed, resulting in an $8,306.37 loss to American-Amicable.

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incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

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. Rebating is a fraudulent, coercive and/or dishonest practice that demonstrates incompetence, untrustworthiness and/or financial irresponsibility.

13. By paying rebates on premiums for each of the Policies, Respondent violated ORS 746.045(1) in thirty-four instances.

ORDERS

Now therefore, the Director issues the following Orders:

14. Based upon the foregoing and 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. Based upon the foregoing and as authorized by ORS 731.744(1)(b) and (h), the Director ORDERS that Respondent's Oregon nonresident insurance producer license be revoked.

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16. Based upon the foregoing and as authorized by ORS 731.744(1)(b) and (h), the Director ORDERS that Respondent's Oregon resident insurance producer license application be denied.

SO ORDERED this 22nd 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

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CONSENT TO ENTRY OF ORDER

I, Dyna M. Vandolah, 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/ Dyna Vandolah

Signature

State of Oregon

County of Columbia

Signed or attested before me on this 20th day of November, 2017 by Dyna M. Vandolah.

/s/ Misty D. Talley

Notary Public

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