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

In the Matter of: JANELL WELCH, Respondent.	Case No. INS-17-0043 FINAL ORDER TO CEASE AND DESIST AND REVOCATION OF EXPIRED LICENSE, ENTERED BY DEFAULT

On April 11, 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 Janell Welch ("Respondent") proposing to revoke her resident insurance producer license.

The Notice offered Respondent an opportunity for a hearing, if requested within 30 days. The Notice further informed Respondent that if a hearing was not conducted because Respondent did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Respondent 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 Respondent 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.

FINDINGS OF FACT

The Director FINDS that:

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

1. Respondent had been licensed as an Oregon resident insurance producer since July 29, 2014 until her license expired on November 30, 2016. Respondent's national producer number is 17329755.

2. On July 15, 2016, Respondent was indicted in Deschutes County Circuit Court, case no. 16CR43567, in the state of Oregon.

3. The indictment consisted of 45 counts including: thirty-three (33) counts of computer crimes, misdemeanor and felony counts; six (6) counts of identity theft, a felony; two (2) counts of forgery in the second degree, a misdemeanor; two (2) counts of obtaining or attempting to obtain or use contents of communication, a misdemeanor; one (1) count of initiating a false report, a misdemeanor; and one (1) count of possession of methamphetamine, a felony.

4. Respondent was arraigned on the indictment on July 22, 2016.

5. As of April 7, 2017, Respondent has not reported the criminal prosecution to the Director.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

6. 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 to discontinue or desist from such violation or threatened violation.

7. Pursuant to ORS 744.089(2), no later than the 30th day after the initial pretrial hearing date, an insurance producer shall report to the director any criminal prosecution of the insurance producer taken in any jurisdiction. Respondent failed to notify the Director within 30 days of the initial pretrial hearing.

8. Under ORS 744.074(1)(b), the Director may revoke an insurance producer

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license for violating any insurance laws, or violating any rule, subpoena or order of the director or of the insurance commissioner of another state. Respondent violated ORS 744.089(2), an insurance law, by failing to report her criminal charges within 30 days.

ORDER

Now therefore, the Director issues the following Orders:

9. 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.

10. The Director, pursuant to ORS 744.074(1)(b), hereby REVOKES Respondent's resident insurance producer license.

SO ORDERED this 23rd day of May, 2017 in Salem, Oregon.

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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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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