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

In the Matter of:	Case No. INS-18-0053
GREGORY H. BANG, Respondent.	FINAL ORDER TO CEASE AND DESIST, FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On August 13, 2018, the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), by and through the Division of Financial Regulation ("Division"), properly served notice ("Notice Order") on Gregory H. Bang ("Respondent") that the Director intended to issue an order revoking Respondent's resident insurance producer license.

The Notice Order offered Respondent an opportunity for a hearing if requested within 20 days of service of the Notice Order. The Notice Order 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 Division'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.

Now, therefore, after considering the relevant portions of the Division's file relating to this matter, the Director finds and orders as follows.

FINDINGS OF FACT

The Director FINDS that:

1. Respondent is an Oregon resident with his last recorded principal place of

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350 Winter Street NE, Suite 410
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business at 120 Oakway Center, Eugene, OR 97401. Respondent's National Producer Number is 8636523. Respondent was a licensed resident individual insurance producer from December 5, 2005 until his licensed expired on March 31, 2018.

2. In or around the first quarter of 2017, Respondent recommended to Oregon consumer "LE" that she replace an existing New York Life policy with a policy from Ohio National Life. Respondent failed to disclose certain adverse effects associated with the replacement. On March 30, 2017, LE filed a complaint with New York Life about Respondent's solicitation of the replacement policy and failure to disclose the adverse effects associated with the replacement.

3. In or around the first quarter of 2017, Respondent recommended to Oregon consumer "BW" that he replace an existing New York Life policy with a policy from Ohio National Life. Respondent failed to disclose certain adverse effects associated with the replacement. On April 3, 2017, BW filed a complaint with New York Life about Respondent's solicitation of the replacement policy and failure to disclose the adverse effects associated with the replacement.

4. On May 11, 2017, Respondent's Agent Contract with New York Life was terminated, effective August 9, 2017.

5. On September 1, 2017, New York Life notified the Division that Respondent had been permitted to resign for unsuitable replacement recommendations.

6. On May 22, 2018, the Division sent a letter to Respondent asking if Respondent intended to continue working in the insurance industry and set a response date of June 12, 2018. Respondent failed to responded to the Division's letter by the June 12, 2018 deadline.

7. On August 13, 2018, the Division properly served Respondent with a Notice Order. Respondent had 20 days to timely request a hearing. The Division did not receive a request for hearing from Respondent.

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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 to discontinue or desist from such violation or threatened violation.

9. Pursuant to ORS 744.011(1), the expiration of a license or the voluntary surrender of a license by a licensee under this chapter shall not deprive the Director of jurisdiction to proceed with any investigation of, or any action or disciplinary proceedings against, the licensee or to revise or render void an order suspending or revoking the license.

10. Pursuant to ORS 731.296, the Director may address any proper inquiries to any licensee in relation to its activities or condition or any other matter connected with its transactions. Any such person so addressed shall promptly and truthfully reply to such inquiries using the form of communication requested by the Director.

11. Respondent violated ORS 731.296 by failing to respond to the Division's May 22, 2018 letter.

12. Pursuant to ORS 744.074(1)(b), the Director may revoke an insurance producer license for violating any insurance laws.

13. Pursuant to ORS 744.074(1)(h), the Director may revoke an insurance producer license for using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

14. Respondent used fraudulent, coercive or dishonest practices or demonstrated untrustworthiness by failing to disclose certain adverse effects associated with replacement insurance policies as described in Paragraph 2 and Paragraph 3.

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ORDERS

Now, therefore, the Director issues the following Orders:

15. 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.

16. In accordance with ORS 744.074(1)(b) and ORS 744.074(1)(h), the Director hereby REVOKES Respondent's nonresident insurance producer license.

SO ORDERED this 30th day of September, 2018.

CAMERON C. SMITH, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, 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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