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

In the Matter of:	Case No. INS-18-0117
BUFFETT SENIOR HEALTHCARE CORP, Respondent.	ORDER TO CEASE AND DESIST, FINAL ORDER TO ISSUE LICENSE, FINAL ORDER ASSESSING CIVIL PENALTY AND CONSENT TO ENTRY OF ORDER THIS IS A FINAL 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, has conducted an investigation into the nonresident insurance producer license renewal application of Buffett Senior Healthcare Corp ("Respondent").

Respondent submits to the Director's jurisdiction and agrees to waive its rights to notice and an administrative hearing that arise under ORS 183.415 and wishes to resolve this matter by consenting to entry of this Final Order.

Now, therefore, as evidenced by the authorized signatures subscribed on this document, the Director issues the following Findings of Fact and Conclusions of Law and issues the following Orders.

FINDINGS OF FACT

The Director FINDS that:

1. Respondent is a Texas business entity with its last recorded business address at 42 Read's Way, New Castle, DE 19720 and last recorded mailing address at 1341 W

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Salem, OR 97301-3881
Telephone: (503) 378-4387

Mockingbird Lane, Suite 600W, Dallas, TX 75247. Respondent was an Oregon licensed nonresident business entity insurance producer from August 13, 2012 until its license expired on August 31, 2018. Respondent's NAIC national producer number is 16748853.

2. Respondent applied for renewal of its nonresident insurance producer license ("License") on August 6, 2018. As part of the application process, Respondent completed and submitted to the Division of Financial Regulation ("Division") an application form indicating that Respondent had never been named or involved as a party in an administrative proceeding.

3. During review of the application, the Division learned that Respondent was involved in a North Carolina administrative proceeding on December 21, 2017 and a Louisiana administrative proceeding on June 6, 2018.

4. On August 30, 2018, the Division sent an email (August 30th Email) to Respondent requesting a copy of the North Carolina and Louisiana administrative actions and an explanation surrounding the incidents. The Division set a response deadline of September 13, 2018. Respondent did not respond to the Division's August 30th Email on or before September 13, 2018.

5. On October 9, 2018, the Division sent a second email (October 9th Email) to Respondent again requesting a copy of the North Carolina and Louisiana administrative actions and an explanation surrounding the incidents. The Division set a response deadline of October 19, 2018. Respondent did not respond to the Division's October 9th Email on or before October 19, 2018.

6. On January 3, 2019, the Division contacted Respondent by telephone and asked if Respondent was still interested in renewing its License. Respondent explained that it remained interested in renewing its License, but had not received the Division's August 30th Email or October 9th Email. Respondent provided an alternate email to the

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Division.

7. On January 7, 2019, the Division forwarded the August 30th Email and October 9th Email to Respondent's alternate email and requested a response on or before January 18, 2019. Respondent did not respond on or before January 18, 2019.

8. On January 28, 2019, the Division sent a letter to Respondent via certified mail. The letter informed Respondent that Respondent's renewal application was incomplete because the Division has not received the North Carolina and Louisiana administrative actions and an explanation surrounding the incidents.

9. On February 14, 2019, Respondent contacted the Division via email and phone and requested additional time to provide the requested information.

10. On April 4, 2019, Respondent provided the Division with the Louisiana administrative action and an explanation surrounding the incident. On June 4, 2019, Respondent provided the Division with the North Carolina and administrative action and an explanation surrounding the incident.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

11. 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.

12. 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.

13. Pursuant to ORS 744.089(1), an insurance producer shall report to the

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Director any administrative action taken against the insurance producer in another jurisdiction or by another governmental agency in this state not later than the 30th day after the date of the final disposition of the matter.

14. Respondent violated ORS 744.089(1) by failing to report the Director the North Carolina and Louisiana administrative proceedings not later than the 30th day after the date of the final disposition of the respective matters.

15. Pursuant to ORS 731.296(1), the Director may address any proper inquiries to any insurer, licensee or its officers 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.

16. Respondent violated ORS 731.296(1) on three separate occasions by failing to respond to the Division as described in Paragraphs 4, 5 and 7.

17. Pursuant to ORS 744.074(1)(b), the Director may place a licensee on probation or suspend, revoke or refuse to issue or renew an insurance producer license and may take other actions authorized by the Insurance Code in lieu thereof or in addition thereto, for violating any insurance laws, or violating any rule, subpoena or order of the Director or of the insurance commissioner of another state or Mexico or Canada.

18. Pursuant to ORS 731.988(1), the Director may impose a civil penalty of up to $10,000 per violation upon any individual who violates a provision of the Insurance Code.

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ORDERS

Now therefore, the Director issues the following Orders:

19. 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.

20. Based upon the foregoing and in accordance with ORS 731.988(1), the Director ORDERS that a nonresident business entity insurance producer license be issued to Respondent, subject to a CIVIL PENALTY of $1,000 for violations of ORS 744.089(1) and ORS 731.296(1).

21. The CIVIL PENALTY assessed herein is due and payable at the time this Order is returned to the Division.

SO ORDERED this 20th day of June, 2019.

CAMERON SMITH, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, Chief of Enforcement
Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Richard P. Dale, Jr., state that I am an officer of Buffett Senior Healthcare Corp and I am authorized to act on its behalf. I have read the foregoing Order, and I know and fully understand the contents hereof. I have been advised of the right to a hearing and of the right to be represented by counsel in this matter. Buffett Senior Healthcare Corp voluntarily and without any force or duress consents to the entry of this Order expressly waiving any right to a hearing in this matter. Buffett Senior Healthcare Corp understands that the Director reserves the right to take further actions to enforce this Order or to take appropriate action upon discovery of other violations of the Insurance Code. Buffett Senior Healthcare Corp will fully comply with the terms and conditions stated herein.

Buffett Senior Healthcare Corp understands that this Order is a public document.

/s/ Richard P. Dale
Signature

Richard P. Dale, Jr.
Printed name

Owner
Office held

ACKNOWLEDGMENT

There appeared before me this 12 day of June, 2019, Richard P. Dale Jr., who was first duly sworn on oath, and stated that she/he was and is an officer of Buffett Senior Healthcare Corp and that he is authorized and empowered to sign this Consent to Entry of Order on behalf of Buffett Senior Healthcare Corp and to bind Buffett Senior Healthcare Corp to the terms hereof.

/s/ Zantel A. Martin
Signature of Notary Public

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