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

In the Matter of:	Case No. INS-18-0118
ALBERT STERLING GROFF, Respondent.	FINAL ORDER TO CEASE AND DESIST, FINAL ORDER DENYING LICENSE RENEWAL APPLICATION, AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

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"), properly served Notice on Albert Sterling Groff ("Groff") that the Director intended to deny Groff's nonresident insurance producer license renewal application and revoke Groff's nonresident insurance producer license.

The Notice offered Groff an opportunity for a hearing, if requested within 60 days. The Notice further informed Groff that if a hearing was not conducted because Groff did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Groff 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 Groff 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.

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350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Groff had been licensed as a nonresident insurance producer in the state of Oregon since December 22, 2015, until the license expired on October 31, 2018. Groff's national insurance producer number is 17149641.

2. On November 14, 2018, Groff applied for a renewal of his nonresident insurance producer license.

3. As part of the application process, Groff completed and submitted to the Division of Financial Regulation ("Division") a renewal application form stating that he had not been named or involved as a party in an administrative proceeding, which had not been previously reported to the Division.

4. During the review of Groff's application to renew, it was discovered that he had been the subject of multiple administrative actions:

A. On November 16, 2017, the state of Washington, case no. 913571, revoked Groff's license for accepting insurance business from an unlicensed person and failing to respond to an inquiry by the Insurance Commissioner.

B. On March 21, 2018, the Louisiana Department of Insurance, article no. 7015 0640 0004 5949 9663, revoked Groff's license based on the Washington's administrative action.

C. On September 13, 2018, Groff entered into a consent order with the state of Delaware, case no. 166699, for failing to report the Washington administrative order within 30 days. Groff paid a $2,500 fine.

5. Groff failed to inform the Division of the above administrative actions within 30 days of the final dispositions.

6. On November 19, 2018, the Division sent a letter by electronic mail to Groff requesting a copy of the administrative orders and explanations by November 29, 2018.

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7. On December 4, 2018, the Division sent a letter by electronic mail to Groff requesting a copy of the administrative orders and explanations by December 18, 2018.

8. Groff did not respond to the Division's requests.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

9. 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.

10. Pursuant to ORS 744.074(1)(a), the Director may revoke or refuse to issue or renew an insurance producer license for providing incorrect, misleading, incomplete or materially untrue information in the license application. Groff provided misleading information when he stated that he had not been named in an administrative proceeding.

11. Pursuant to ORS 744.074(1)(i), the Director may revoke or refuse to issue or renew an insurance producer license for the cancellation, revocation, suspension or refusal to renew by any state of an insurance producer license. The record of the cancellation, revocation, suspension or refusal to renew shall be conclusive evidence of the action taken. The Director may revoke Groff's nonresident insurance producer license because Washington and Louisiana have revoked Groff's insurance producer licenses.

12. Pursuant to ORS 744.089(1), an insurance producer shall report to the Director any administrative action taken against the insurance producer in another jurisdiction not later than the 30th day after the date of the final disposition of the matter. Groff failed to notify the Director of the administrative actions within 30 days of the final disposition of the matters.

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13. Pursuant to ORS 744.074(1)(b), the Director may revoke or refuse to issue or renew an insurance producer license for violating any insurance laws, or violating any rule, subpoena or order of the director. Groff violated ORS 744.089(1).

ORDERS

Now therefore, the Director issues the following Orders:

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

15. The Director, pursuant to ORS 744.074(1)(a), (b) and (i), hereby REVOKES Groff's nonresident insurance producer license.

16. The Director, pursuant to ORS 744.074(1)(a), (b) and (i), hereby DENIES Groff's renewal application for a nonresident insurance producer license.

SO ORDERED this 27th day of March, 2019 in Salem, Oregon.

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

/s/ Dorothy Bean
Dorothy Bean, 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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