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

In the Matter of: JULIE B. LOWELL aka JULIE B. CONE, an Individual, Respondent.	Case No. INS-19-0084 ORDER TO CEASE AND DESIST, ORDER TO REVOKE LICENSE, ORDER TO ASSESS CIVIL PENALTIES, 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 and the administrative rules promulgated thereunder ("Insurance Code"), has conducted an investigation into the activities of Julie B. Lowell aka Julie B. Cone ("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 was issued an Oregon resident insurance producer license ("License") on October 17, 2001. Respondent's national producer number is 6245377.

2. On July 29, 2015, the Division of Financial Regulation ("Division") entered an order against Respondent. The order concluded that Respondent failed to promptly and truthfully respond to inquiries from the Director, in violation of ORS 731.296. Pursuant to the order, Respondent's License was revoked.[1]

[1] See Division case number INS-15-01-006.

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3. On April 18, 2017, Respondent's License was reinstated.

4. In 2018, Respondent was appointed to sell insurance policies on behalf of State Farm Insurance Companies ("Sate Farm").

5. In 2018, Respondent accepted funds from at least twenty Oregon consumers for the purpose of paying premiums on their State Farm policies. Rather than pay the premiums, Respondent kept the funds for herself. Respondent created false receipts to give the impression the funds had been properly processed though State Farm's payment system.[2]

6. At least three of the policies were cancelled for non-payment.

7. On or around September 13, 2018, State Farm terminated Respondent's appointment.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

8. By misappropriating premium funds from twenty Oregon consumers, and creating false receipts to conceal her actions, Respondent:

A. Improperly misappropriated money received in the course of doing insurance business, in violation of ORS 744.074(1)(d);

B. Committed fraud related to insurance, in violation of ORS 744.074(1)(g);

C. Used fraudulent and dishonest practices in the conduct of business in this state, in violation of ORS 744.074(1)(h); and

D. Demonstrated untrustworthiness and financial irresponsibility in the conduct of business in this state, in violation of ORS 744.074(1)(h).

9. The Director may revoke Respondent's License for any and all of the foregoing violations of ORS 744.074(1).

[2] In total, Respondent misappropriated approximately $5,000.

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10. Because the Director has reason to believe that Respondent has been engaged in violations of the Insurance Code the Director may issue an order to Respondent to cease and desist, under ORS 731.252(1).

11. The Director may impose a civil penalty of up to $1,000 *per violation* upon an insurance producer who violates a provision of the Insurance Code, under ORS 731.988(1).

ORDERS

Now therefore, the Director issues the following Orders:

12. As authorized by ORS 731.252(1), the Director hereby ORDERS Respondent to CEASE AND DESIST from violating any provision of the Insurance Code.

13. As authorized by ORS 744.074, the Director hereby REVOKES Respondent's Oregon resident insurance producer license for:

A. Improperly misappropriating money received in the course of doing insurance business, in violation of ORS 744.074(1)(d);

B. Committing fraud related to insurance, in violation of ORS 744.074(1)(g);

C. Using fraudulent and dishonest practices in the conduct of business in this state, in violation of ORS 744.074(1)(h); and

D. Demonstrating untrustworthiness and financial irresponsibility in the conduct of business in this state, in violation of ORS 744.074(1)(h).

14. As authorized by ORS 731.988(1), the Director ORDERS that Respondent pay a CIVIL PENALTY totaling $10,000 for violating ORS 744.074(1).

15. The Director hereby suspends payment of $10,000 of the CIVIL PENALTY for a period of three years, provided Respondent:

A. Complies with the foregoing terms of this Order; and

B. Does not violate the Insurance Code within the three-year time period.

16. The suspended CIVIL PENALTY ($10,000) will be waived three years from

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the effective date of this Order, provided Respondent has complied with the foregoing Order terms. The Director reserves the right to immediately assess and collect the suspended civil penalty upon a determination that Respondent has violated any term of this Order.

17. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that provision, the entry of this Order does not limit other remedies that are available to the Director under Oregon law.

SO ORDERED this 25th day of September, 2019.

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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CONSENT TO ENTRY OF ORDER

I, Julie B. Lowell aka Julie B. Cone, state that I have read the foregoing Order and that I know and fully understand the contents hereof. I have been advised of my right to a hearing and of my right to be represented by counsel in this matter. 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. 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. I will fully comply with the terms and conditions stated herein. I understand that this Consent Order is a public document.

Signature: /s/ Julie Lowell

State of Oregon

County of Lane

Signed or attested before me on this 20th day of September, 2019 by Julie B. Lowell aka Julie B. Cone.

/s/ Kelly Diane Carlson
Notary Public

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