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

In the Matter of:	Case No. INS-19-0018
RAINWATER INSURANCE INC.,	FINAL ORDER TO CEASE AND DESIST, FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT
Respondent.	

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 Rainwater Insurance Inc. ("Rainwater") that the Director proposed to revoke Rainwater's nonresident insurance producer license.

The Notice offered Rainwater an opportunity for a hearing, if requested within 20 days. The Notice further informed Rainwater that if a hearing was not conducted because Rainwater did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Rainwater 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 Rainwater 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
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FINDINGS OF FACT

The Director FINDS that:

1. Rainwater has been licensed as a nonresident insurance producer in the state of Oregon since April 11, 2012. Rainwater's national insurance producer number is 5777865.

2. On January 3, 2018, Rainwater entered into a Consent Order Setting Conditions for Probationary Licenses and Imposing a Fine in Case No. 17-0404 with the Washington Office of the Insurance Commissioner ("WA Order").

3. Rainwater failed to comply with the terms of the WA Order.

4. On February 15, 2019, the state of Washington revoked the resident producer license of Rainwater for failing to comply with conditions of a previous consent order.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

5. 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.

6. 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 Rainwater's nonresident insurance producer license because Washington has revoked Rainwater's insurance producer license.

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ORDERS

Now therefore, the Director issues the following Order and Proposed Order:

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

8. The Director, pursuant to ORS 744.074(1)(i), hereby REVOKES Rainwater's nonresident insurance producer license.

SO ORDERED this 11th day of April, 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

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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