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

In the Matter of DAVID J. JACKSON & COMPANY, LLC, Respondent.	Case No. INS-20-0006 ORDER TO CEASE AND DESIST, ORDER DENYING LICENSE APPLICATION AND REVOKING LICENSE, ENTERED BY DEFAULT

On February 18, 2020, the Division of Financial Regulation ("Division") acting on behalf of the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), served Notice of Administrative Order INS-20-0006 ("Notice") on David J. Jackson & Company, LLC ("Respondent"). The Notice provided notice that the Director issued an order to cease and desist and proposed an order revoking Respondent's Oregon nonresident insurance producer license and denying renewal of the same for violations of Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 and the rules promulgated thereunder ("Insurance Code").

The Notice offered Respondent an opportunity for a hearing if requested within 60 days of the Notice. The Notice further informed Respondent that if a hearing were 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.

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

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 a nonresident business entity with a business address at 755 E. McArdle Drive, Suite A, Crystal Lake IL, 60014.

2. Respondent's nonresident business entity insurance producer license expired on October 31, 2019.

3. On December 2, 2019, an individual identified as Kathy Grube ("Grube") filed a renewal application on Respondent's behalf.

4. The application indicated that Respondent had been subject to multiple administrative actions, but did not attach any supporting documentation.

5. A subsequent review by the Division of the Regulatory Information Retreival Systems (RIRS) showed orders against Respondent from the Virginia State Corporation Commission ("the Virginia order") and from the Wisconsin Office of the Commissioner of Insurance ("the Wisconsin order").

6. The Virginia order, dated June 15, 2018, revoked Respondent's license in that state for failing to make required filings and pay required assessments, penalties, fines, and interest associated with those filings. The Wisconsin order, dated September 23, 2019, revoked Respondent's license in that state for failing to respond to inquiries from the Office of the Commissioner of Insurance.

7. Prior to filing the renewal application on December 2, 2019, Respondent had reported neither the Virginia order nor the Wisconsin order to the Division.

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8. On December 4, 2019, the Division sent an email ("the December 4 email") to the addresses listed on the application for Respondent (djackson@djjcompany.com) and for Grube (blinsurance@cscglobal.com) requesting copies of documents that would show the circumstances of the administrative actions taken against Respondent.

9. On December 19, 2020, having received no response to the December 4 email, the Division sent a second email ("the December 19 email") to Respondent and Grube again asking for the documents requested in the December 4 email and giving Respondent and Grube until December 30, 2019, to provide those documents.

10. On January 15, 2020, the Division attempted to call Respondent at the phone number listed for Respondent on the application and received a message that the phone call could not be completed as dialed.

11. On January 15, 2020, the Division succeeded in contacting Grube by telephone. Grube stated that she would get the documents requested in the December 4 email. Grube subsequently notified the Division that Respondent had been unresponsive to her request for the documents, that the phone number Grube had for Respondent was not able to receive new voicemail messages, and that Grube was unable to obtain the documents requested in the December 4 email.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

12. 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.

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13. ORS 744.074(1)(a) authorizes the Director to suspend, revoke, or refuse to renew an insurance producer license for providing incorrect, misleading, incomplete or materially untrue information in the license application.

14. Respondent provided incomplete information on its application for renewal by failing to provide documentation showing the circumstances of the administrative actions taken against Respondent.

15. Under ORS 744.089(1), an insurance producer shall report to the Director any administrative action taken against the insurance producer in another jurisdiction or by another government agency not later than the 30th day after the date of the final disposition of the matter. This report must include a copy of the order, consent to order, and other relevant legal documents.

16. Respondent violated ORS 744.089(1) by failing to timely report to the Director the Virginia order and the Wisconsin order.

17. Pursuant to ORS 731.296, the Director may address any proper inquiries to a licensee in relation to its activities or condition or any other matter connected with its transactions and any person so addressed shall promptly and truthfully reply to such inquiries.

18. Respondent violated ORS 731.296 by failing to respond to the December 4 email and to the December 19 email.

19. ORS 744.074(1)(b) authorizes the Director to suspend, revoke, or refuse to renew a license to engage in business as an insurance producer for violating any insurance laws, including ORS 744.089(1) and ORS 731.296.

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ORDERS

The Director ISSUES the following ORDERS:

20. Pursuant to ORS 731.252(1) the Director hereby ORDERS Respondent, and all entities owned or controlled by Respondent, its successors and assignees, to CEASE AND DESIST from violating any provision of the Insurance Code, or any administrative rule adopted by the Director under those statutes.

21. The Director, pursuant to ORS 744.074(1)(a), hereby DENIES Respondent's nonresident entity insurance producer license renewal application for providing incomplete information on the renewal application.

22. The Director, pursuant to ORS 744.074(1)(b), hereby DENIES Respondent's nonresident entity insurance producer license renewal application for violating ORS 731.296(1) and ORS 744.089(1).

23. The Director, pursuant to ORS 744.074(1)(a), hereby REVOKES Respondent's nonresident entity insurance producer license for providing incomplete information on the renewal application.

24. The Director, pursuant to ORS 744.074(1)(b), hereby REVOKES Respondent's nonresident entity insurance producer license for violating ORS 731.296 and ORS 744.089(1).

25. 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.

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NOTICE OF RIGHT TO JUDICIAL APPEAL

Judicial review of final orders in contested cases is governed by ORS 183.482. Respondent 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.

IT IS SO ORDERED.

Dated this 25th day of June, 2020.

Andrew R. Stolfi , Acting Director
Department of Consumer and Business Services

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

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