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

In the Matter of: BRENT MANN, Respondent.	Case No. INS-20-0026 FINAL ORDER TO CEASE AND DESIST, FINAL ORDER DENYING LICENSE RENEWAL APPLICATION, AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On July 30, 2020, 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 Brent Mann ("Mann") that the Director proposed to deny Mann's nonresident insurance producer license renewal application and revoke his nonresident insurance producer license (the "Notice").

The Notice offered Mann an opportunity for a hearing, if requested within 60 days. The Notice further informed Mann that if a hearing was not conducted because Mann did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Mann 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 Mann 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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Salem, OR 97301-3881
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FINDINGS OF FACT

The Director FINDS that:

1. Mann had been licensed as a nonresident insurance producer in the state of Oregon since March 8, 2013, until the license expired on January 31, 2020. Mann's national insurance producer number is 92933.

2. On January 15, 2020, Mann applied for a renewal of his nonresident insurance producer license.

3. As part of the application process, Mann 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 Mann's application to renew, it was discovered that he had been the subject of a regulatory action and did not report it to the director within 30 days.

5. On January 3, 2019, the state of Washington revoked Mann's nonresident insurance producer license, for acting as an agent of an insurer without being properly appointed, in Order No. 19-0012. The Washington Order became effective January 18, 2019. Mann had 90 days from the date of the order to request a hearing. Mann failed to request a hearing and the order became final on April 3, 2019.

6. Mann failed to inform the Division of the administrative action from the state of Washington, within 30 days of the final dispositions.

7. On January 16, 2020, the Division sent a letter by electronic mail to Mann regarding the administrative action in the state of Washington.

8. On February 7, 2020, the Division sent another letter by electronic mail to Mann requesting a copy of the state of Washington's order.

9. Mann did not respond to the Division's requests.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

10. 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.

11. 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. Mann provided misleading information when he stated that he had not been named in an administrative proceeding.

12. 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 Mann's nonresident insurance producer license because the state of Washington revoked Mann's nonresident insurance producer license.

13. 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. Mann failed to notify the Director of the administrative actions described in paragraph 5 of this Order within 30 days of the final disposition of the matter.

14. 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. Mann violated ORS 744.089(1).

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ORDERS

Now therefore, the Director issues the following Orders:

15. As authorized by ORS 731.252(1), the Director ORDERS Mann to CEASE AND DESIST from violating ORS 744.074(1)(a), (b) and (i) and ORS 744.089(1).

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

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

SO ORDERED this 7th day of October, 2020 in Salem, Oregon.

ANDREW R. STOLFI, 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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