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

In the Matter of: Beauregard Valdes Ray Respondent.	Case No. INS-20-0027 FINAL ORDER TO CEASE AND DESIST, FINAL ORDER DENYING LICENSE RENEWAL APPLICATION, AND FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT

On May 14, 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 Beauregard Valdes Ray ("Ray") that the Director proposed to deny Ray's nonresident insurance producer license renewal application and revoke his nonresident insurance producer license.

The Notice offered Ray an opportunity for a hearing, if requested within 60 days. The Notice further informed Ray that if a hearing was not conducted because Ray did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Ray 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 Ray 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. Ray has been licensed as a nonresident insurance producer in the state of Oregon since January 9, 2013. Ray's national insurance producer number is 16629297.

2. On or around December 27, 2019, the Oregon Division of Financial Regulation ("Division") received Ray's nonresident insurance producer renewal application.

3. As part of the application process, Ray completed and submitted to the Division a renewal application form and indicated he had been subject to administrative actions but failed to provide required documentation for all actions he had been subject to.

4. Ray failed to advise the Division or provide documentation regarding the following actions:

A. On June 10, 2019, the state of Pennsylvania issued an administrative order suspending Ray's license for failure to pay child support;

B. On November 25, 2019, the state of Washington issued an administrative order revoking Ray's license for failure to respond and to report another state's action; and

C. On January 21, 2020, the state of Florida issued an administrative order imposing a monetary penalty against Ray.

5. Ray did not notify the Division of the aforementioned actions within 30 days of the final disposition.

6. On multiple occasions, the Division sent Ray communication via email address provided in his application, requesting that he upload documents to the necessary database regarding the administrative actions from the year 2019.

7. On January 29, 2020, the Division sent an urgent warning via email advising Ray that his application would be subject to enforcement action by February 12, 2020, if he did not respond.

8. As of the date of this Order, Ray has not contacted the Division with an update.

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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 an insurance producer license if an applicant provides incorrect, misleading, incomplete or materially untrue information in the license application. Ray failed to provide requested documentation pertaining to the Pennsylvania and Washington administrative orders, thereby making his licensing application incomplete under ORS 744.074(1)(a).

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

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. Ray failed to notify the Director of the Pennsylvania, Washington, and Florida administrative actions within 30 days of the final disposition of the matter.

13. Pursuant ORS 744.074(1)(b), the Director may revoke or refuse to issue an insurance producer license if a licensee violates any insurance law. Ray violated ORS 744.089(1) by failing to notify the Director of all administrative actions within 30 days of the final disposition of the matter.

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ORDERS

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

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

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

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

SO ORDERED this 13th day of July, 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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