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

In the Matter of ERIC OSTER, JR., (NPN#16546338) Respondent.	Case No. INS-21-0038 FINAL ORDER TO CEASE AND DESIST, FINAL ORDER REVOKING NONRESIDENT INSURANCE PRODUCER LICENSE, AND FINAL ORDER ASSESSING CIVIL PENALTY, ENTERED BY DEFAULT

On January 13, 2022, 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-21-0038 ("Notice") on Eric Oster, Jr. ("Respondent"). The Notice provided notice that the Director issued an order to cease and desist, proposed an order to revoke Respondent's nonresident insurance producer license, and proposed an order assessing a civil penalty against Respondent 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 20 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

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conduct a hearing.

The Director finds that the record of this proceeding proves a prima facie case. 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 Florida resident with his last recorded business address at 1946 Fittin Ct, Lantana, Florida 33461. Respondent applied for an Oregon nonresident insurance producer license ("license") on October 26, 2020 using the National Insurance Producer Registry (NIPR) website.

2. Respondent tendered payment of the fee for his license using a credit card and was issued a license upon entry of his payment information.

3. Following the issuance of Respondent's license, the credit card holder disputed the charge for Respondent's license fee. As a result, Respondent received his license, but the Division never received payment of the license fee.

4. Between October 26, 2020, and May 21, 2021, NIPR attempted to collect the license fee from Respondent and received no response.

5. On May 21, 2021, NIPR notified the Oregon Division of Financial Regulation ("Division") about the unpaid license fee. On May 21, 2021, an employee of the Division succeeded in making contact with Respondent. Respondent was given until June 22, 2021 to pay the license fee and was warned that the Division may revoke his license if the fee was not paid at that time.

6. On June 22, 2021, Division staff confirmed that Respondent had not paid the license fee. On June 22, 2021, Division staff attempted to contact Respondent by telephone and left a message for Respondent.

7. As of the time of this Order, Respondent has still not paid his license fee.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

8. Under 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.

9. ORS 744.059(1)(d) requires insurance producer licensees to pay "all applicable fees" for their license.

10. Respondent violated ORS 744.059(1)(d) by failing to pay the license fee.

11. ORS 744.074(1)(p) authorizes the Director to suspend, revoke, or refuse to renew an insurance producer license for "failing to pay any fee or charge" to the Director.

12. ORS 731.988(1) authorizes the Director to impose civil penalties against an individual insurance producer in an amount up to $1,000 per violation for any violation of the Insurance Code, including violations of ORS 744.059(1)(d).

ORDERS

The Director ISSUES the following ORDERS:

13. Pursuant to ORS 731.252(1) the Director hereby ORDERS Respondent, and all entities owned or controlled by Respondent, his 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.

14. The Director, pursuant to ORS 744.074(1)(p), hereby REVOKES Respondent's nonresident insurance producer license for violating ORS 744.059(1)(d).

15. The Director, pursuant to ORS 731.988(1), hereby ASSESSES a CIVIL PENALTY against Respondent in the amount of $500 for violating ORS 744.059(1)(d) by failing to pay the licensing fee for his license.

16. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that

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provision, the entry of this Order does not limit other remedies that are available to the Director under Oregon law.

IT IS SO ORDERED.

Dated this 15th day of February, 2022.

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

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.

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