

**FILED**

2014 JUN -4 P 12: 53

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

In the Matter of	)	<b>Docket Nos. 13-0108; 13-0110</b>
	)	
<b>CHARLES D. OLIVER, AMERICAN</b>	)	<b>ORDER TERMINATING</b>
<b>EQUITY ADVISORY GROUP, LLC,</b>	)	<b>PROCEEDINGS</b>
<b>and "THE CHUCK OLIVER TEAM,"</b>	)	
	)	
Respondents.	)	
_____	)	
	)	
In the Matter of	)	
	)	
<b>STEVEN H. MINNICH,</b>	)	
	)	
Respondent.	)	
_____	)	

**TO:** Jerry Kindinger, Esq.  
Gulliver Swenson, Esq.  
Ryan, Swanson & Cleveland, PLLC  
1201 Third Avenue, Suite 3400  
Seattle, WA 98101-3034  
*Attorneys for Charles D. Oliver, et al.*

Jason W. Anderson, Esq.  
Carney Badley Spellman, P.S.  
701 Fifth Avenue, Suite 3600  
Seattle, WA 98104-7010  
*Attorney for Steven H. Minnich*

Steven H. Minnich  
True Wealth Financial  
171 Pine Hill Road  
Newport, WA 99156-9374

**COPY TO:** Mike Kreidler, Insurance Commissioner  
James T. Odiorne, Chief Deputy Insurance Commissioner  
John F. Hamje, Deputy Commissioner, Consumer Protection Division  
Andrea Philhower, Staff Attorney, Legal Affairs Division  
AnnaLisa Gellermann, Esq., Deputy Commissioner, Legal Affairs Division

ORDER TERMINATING PROCEEDINGS

13-0108; 13-0110

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Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

On April 4, 2013, the Washington State Insurance Commissioner ("OIC") entered an Order to Cease and Desist against Charles D. Oliver, American Equity Advisory Group, LLC, and "The Chuck Oliver Team" (collectively referred to as "Oliver"), No. 13-0108, effective immediately. On May 21, Oliver, by and through their attorney, Jerry Kindinger, Esq. of Ryan, Swanson & Cleveland, PLLC in Seattle, filed a Demand for Hearing. On October 29, 2013, the OIC filed a Notice of Request for Hearing for Imposition of Fines, No. 13-0110, against Steven H. Minnich ("Minnich"). At the same time, the OIC filed a Motion to Consolidate Hearings, requesting that the Minnich matter be consolidated with the Oliver matter on the bases that the Minnich case involved the same facts, evidence and witnesses as Oliver. The OIC alleges that Oliver and Minnich (collectively, "Respondents") marketed unsuitable insurance products, including an annuity that was not approved for sale in Washington, to a Washington resident in a deceptive and misleading manner.

On January 17, 2014, <sup>Judge Peterson</sup> the undersigned entered an order consolidating the two cases and setting the hearing to commence on March 4, 2014. On January 30, 2014 a Notice of Hearing was entered reflecting that hearing date.

On February 28, 2014, the OIC filed OIC's Withdrawal of Hearing Request for the Steven H. Minnich matter, requesting that the case be dismissed. On March 6, 2014, Oliver filed a similar Withdrawal of Hearing Request. Based upon these documents the hearing was stricken from the hearings calendar. On March 25, 2014, the OIC filed Consent Order Levying a Fine and Superceding Cease and Desist Order No. 13-0108, identified as No. 13-0109, which was executed by Charles D. Oliver on March 7, 2014 and by the OIC on March 21, 2014. On March 26, 2014, the OIC filed Consent Order Levying a Fine, No. 13-0110, which was executed by Minnich on March 24, 2014 and by the OIC on March 25, 2014. On May 6, 2014, the undersigned received and filed Supplemental Consent to Order No. 13-0109 by American Equity Advisory Group, LLC, and "The Chuck Oliver Team", which evidences these entities' consent to Oliver's withdrawal of the hearing request and execution of the Consent Order. Copies of the above referenced OIC's Withdrawal of Hearing Request re Minnich, Oliver's Withdrawal of Hearing Request, the two Consent Orders, which constitute the settlement agreements between the parties, and the Supplemental Consent to Order No. 13-0109 are attached hereto and are by this reference made a part hereof.

Relative to Consent Order Levying a Fine and Superceding Cease and Desist Order No 13-0108, identified as No. 13-0109, and Consent Order Levying a Fine, No. 13-0110, it is noted that these matters were settled prior to the commencement of an adjudicative proceeding. Therefore, for purposes of clarification, while these Consent Orders include statements identified as "Findings of Facts" and "Conclusions of Law," these are not Findings of Fact or Conclusions of Law which were made by an adjudicator after an adjudicative proceeding; rather, the statements contained in

ORDER TERMINATING PROCEEDINGS

13-0108; 13-0110

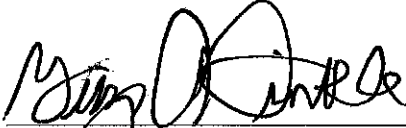
Page - 3

the referenced Consent Orders which are entitled "Findings of Fact" and "Conclusions of Law" are solely statements that have been agreed upon between the parties themselves.

Based upon the above activity,

**IT IS HEREBY ORDERED** that, by Oliver's and the OIC's execution of the Consent Order Levying a Fine and Superceding Cease and Desist Order No. 13-0108, No. 13-0109, on March 7 and March 21, respectively, and by Minnich's and the OIC's execution of the Consent Order Levying a Fine, No. 13-0110, executed on March 24 and March 25, respectively, the parties have fully settled this matter and the proceedings herein, Docket Nos. 13-0108 and 13-0110 (consolidated), are dismissed with prejudice. For purposes of clarification, while the referenced Consent Orders include statements identified as "Findings of Fact" and "Conclusions of Law," these are not Findings of Fact or Conclusions of Law which were made by an adjudicator after an adjudicative proceeding; rather, the statements contained in the attached Consent Orders entitled "Findings of Fact" and "Conclusions of Law" are solely statements that have been agreed upon between the parties themselves.

ENTERED AT <sup>Seattle</sup> ~~TUMWATER~~, WASHINGTON, this 3 day of June, 2014, pursuant to Title 48 RCW and specifically RCW 48.04 and Title 34 RCW and regulations applicable thereto.

  
\_\_\_\_\_  
Judge George Finkle (ret.)  
Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Gulliver Swenson, Esq., Steven H. Minnich, Jason W. Anderson, Esq., Mike Kreidler, James T. Odiorne, Esq., John F. Hamje, Esq., Andrea Phillhower, Esq., and AnnaLisa Gellermann, Esq.

DATED this 4<sup>th</sup> day of June, 2014.

  
\_\_\_\_\_  
KELLY A. CAIRNS



OFFICE OF  
INSURANCE COMMISSIONER

FILED

2014 FEB 28 P 12:40

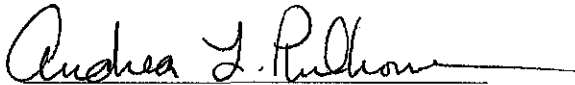
OIC HEARINGS UNIT  
PATRICIA D. PETERSEN  
CHIEF PRESIDING OFFICER

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:	)	No. 13-0110
	)	
STEVEN H. MINNICH,	)	
	)	WITHDRAWAL OF HEARING
	)	REQUEST
Licensee.	)	

This matter is currently scheduled for hearing on March 4, 2014. The OIC staff hereby withdraws its hearing request in this matter, and respectfully requests that the above-captioned matter be dismissed.

Respectfully submitted this 28th day of February, 2014.

  
 ANDREA L. PHILHOWER  
 OIC STAFF ATTORNEY

CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing OIC'S WITHDRAWAL OF HEARING REQUEST on the following individuals via US Mail, e-mail and Hand Delivery at the below indicated addresses:



**DELIVERED VIA:**

**US MAIL:**

Jason Anderson  
701 Fifth Avenue, Suite 3600  
Seattle, Washington 98104-7010  
Anderson@carneylaw.com

**EMAIL:**

**HAND DELIVERED:**

Hearings Unit  
Office of the Insurance Commissioner  
Attn: Patricia D. Petersen, J.D., Chief Hearing Officer  
P.O. Box 40255  
Olympia, WA 98504-0255

**SIGNED** this 28<sup>th</sup> day of February, 2014, at Tumwater, Washington.

  
Christine Tribe

FILED

2014 MAR -6 A 10:50

090 HEARINGS UNIT  
REBECCA D. PETERSEN  
CHIEF PRESIDING OFFICER

BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF WASHINGTON

In the Matter of

CHARLES D. OLIVER, AMERICAN EQUITY  
ADVISORY GROUP, LLC, AND "THE CHUCK  
OLIVER TEAM,"

Respondents.

NO. 13-0108

**CHARLES D. OLIVER'S  
WITHDRAWAL OF HEARING  
REQUEST**

This matter is currently scheduled for hearing on March 4, 2014. Charles Oliver hereby withdraws his hearing request in this matter, and respectfully requests that the above-captioned matter be dismissed.

DATED this 4th day of March, 2014.

RYAN, SWANSON & CLEVELAND, PLLC

By

Gulliver A. Swenson, WSDA #35974  
Attorneys for Charles D. Oliver

1201 Third Avenue, Suite 3400  
Seattle, Washington 98101-3034  
Telephone: (206) 464-4224  
Facsimile: (206) 583-0359  
swenson@ryanlaw.com



CERTIFICATE OF MAILING

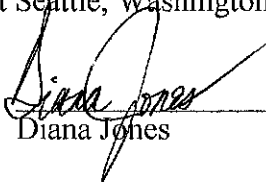
The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of 18 years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below, I caused to be served the foregoing document on the following individual via electronic transmission and U.S. Mail at the below indicated addresses:

Hearings Unit  
Office of the Insurance Commissioner  
Attn: Patricia D. Petersen, J.D., Chief Hearing Officer  
PO Box 40255  
Olympia, WA 98504-0255

Andrea L. Philhower  
OIC Staff Attorney  
Office of Insurance Commissioner of Washington  
PO Box 40255  
Olympia, WA 98504-0255

Dated this 4<sup>th</sup> day of March, 2014, at Seattle, Washington.

  
Diana Jones





**FILED**

OFFICE OF  
INSURANCE COMMISSIONER

2014 MAR 26 A 10:02

OIC HEARINGS UNIT  
PATRICIA D. PETERSEN  
CHIEF PRESIDING OFFICER

IN THE MATTER OF

**STEVEN H. MINNICH,**

Licensee.

ORDER NO. 13-0110

CONSENT ORDER LEVYING A FINE

The Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.17.530 and RCW 48.17.560, and having reviewed the official records and files of the Office of the Insurance Commissioner ("OIC"), makes the following:

**FINDINGS OF FACT:**

1. Steven H. Minnich has been a Washington Resident Insurance Producer since January 11, 2005.
2. Charles D. Oliver lives in Florida. He was not a licensed Insurance Producer in Washington at the time of the events set out below.
3. OIC received a complaint from consumer FLR, who alleges that she went to Mr. Minnich in early 2009 seeking financial planning for retirement. She met in person with Mr. Minnich several times. During some of those meetings (there is evidence that it was at least five), they had telephone conference calls or webinars with Mr. Oliver, who was providing back-office support and mentoring to Mr. Minnich about a process called "Missed Fortune" or the "Max Funded" Concept.
4. Mr. Minnich and Mr. Oliver sold FLR one life insurance policy with Life Insurance Company of the Southwest ("LSW") with a death benefit of \$1,000,000 and subsequently a second policy with OM Financial Life Insurance Company ("OM Financial") with a death benefit of \$1,093,027. They also sold her an LSW annuity with a premium of \$100,500.
5. FLR alleges she was advised to make significant premium payments on the OM Financial and LSW policies in the first five years, wait ten years, and then take large annual tax-free loans from the policies, with minimal to no interest, for her lifetime. Mr. Minnich





alleges that he anticipated that FLR would cancel the LSW life insurance policy, as she plainly could not afford to fund the premiums on both without liquidating assets. FLR alleges that Mr. Minnich and Mr. Oliver did not ensure that she understood the risk that the policies would not perform as promised and that she may be required to make further premium payments past the first five years to keep the policies in place.

6. Mr. Minnich and Mr. Oliver searched for an annuity with terms they believed were more favorable to FLR than with annuities approved for sale in Washington. Both agents knew that they were looking for an annuity not approved in Washington and that FLR was a Washington resident.

7. Mr. Minnich was duly licensed and appointed with LSW at the time of the sale of the LSW life insurance policy, which was fully and completely transacted in Washington State. Mr. Minnich was the only agent paid a commission on this sale.

8. Mr. Minnich and Mr. Oliver agreed that Mr. Minnich would meet with FLR in Idaho to obtain her signatures on the applications for the OM Financial policy and the LSW annuity. Idaho was chosen for three reasons. First, the LSW annuity was not approved for sale in Washington. Second, Mr. Minnich and Mr. Oliver erroneously believed they could legally sell FLR a policy approved in Idaho because FLR conducted some business in Idaho and had been born in Idaho. Mr. Minnich and Mr. Oliver made no effort to ascertain the law regarding this cross-border sale, but instead relied on forms supplied by LSW called a "State of Execution Certification and by OM Financial called a "Non-Resident Application Authorization form." These forms misstated Washington law. The LSW form indicated that an insurance product that is unapproved in Washington may legally be sold to a Washington resident if: the insurance product is approved in another state, the insured executes (signs) the application in that state, and the insured "conducts business in the state of execution." The OM Financial form was similar. FLR had a Pre-Paid Legal Services business (that she represented as having clients in Idaho) and went with Mr. Minnich, on the day of executing the annuity, to attempt to sell the Pre-Paid Legal Services to two of Mr. Minnich's contacts in Idaho. The third reason was that Mr. Oliver was not licensed in Washington, but was licensed in Idaho, and was to receive 95% of the commission on the OM Financial life policy.

9. The LSW annuity replaced one of 3 annuities owned by FLR.
10. Mr. Oliver provided, and Mr. Minnich completed, the replacement forms for the LSW annuity. They were Idaho-approved replacement forms. However, because FLR is a Washington citizen, the Washington-approved form was required to be completed.
11. The Washington replacement form required for the LSW annuity is incomplete. There are no answers to any of the questions designed to ensure that FLR was made aware of the consequences of replacement.
12. Mr. Oliver's communications with FLR and Mr. Minnich regarding these sales were made while Mr. Oliver was in Florida and FLR was in Washington. Mr. Oliver's office prepared the majority of illustrations, quotes, applications and paperwork on the OM Financial life insurance policy and the LSW annuity in Florida.
13. Mr. Oliver sent the LSW annuity and OM Financial insurance policy applications to Mr. Minnich. Mr. Minnich was to obtain FLR's signature because Mr. Oliver was in Florida and Mr. Minnich and FLR were in Washington. Mr. Minnich was aware that Mr. Oliver was not a licensed insurance producer in Washington.

#### **CONCLUSIONS OF LAW:**

1. The sales of the LSW life insurance, OM Financial life insurance, and LSW annuity occurred in Washington because - other than the actual signing of the applications for the LSW annuity and the OM Financial life insurance policy - the sale, solicitation and negotiation took place in Washington. Thus, all three sales are subject to Washington law under RCW 48.01.020. The sale is also subject to Washington law because FLR is a Washington resident.
2. By using or delivering policy forms that have not been filed and approved by the commissioner, Mr. Minnich violated RCW 48.18.100(1).
3. By accepting business from a person who is required to be licensed under RCW Title 48, but is not, Mr. Minnich violated RCW 48.17.530(1)(1).
4. Mr. Minnich engaged in three insurance transactions, each of which constituted a replacement under WAC 284-23-410, by submitting applications for life insurance (including an annuity) for which he knew or should have known that FLR would be

surrendering one policy of life insurance and borrowing against another.

5. By failing to complete the required replacement form related to these transactions (including a list properly and fully identifying all existing life insurance and/or annuity contracts to be replaced), explain it and provide a copy to FLR, and submit it to the insurers, Mr. Minnich violated WAC 284-23-440.

**CONSENT TO ORDER:**

Steven H. Minnich, acknowledging his duty to comply fully with the applicable laws of the State of Washington, consents to the following in consideration of his desire to resolve this matter without further administrative or judicial proceedings. The Insurance Commissioner consents to settle the matter in consideration of Mr. Minnich's payment of a fine and such terms and conditions as are set forth below.

1. Mr. Minnich consents to the entry of this Order, waives any and all hearing rights, and further administrative or judicial challenges to this Consent Order.

2. By agreement of the parties, the Insurance Commissioner will impose a fine of \$3,000, and will suspend \$1,500 of that amount, on the conditions that:

a. Within thirty days of the entry of this Order, Mr. Minnich pays \$1,500.

b. Mr. Minnich commits no further violations of the statutes and regulations that are the subject of this Order for a period of two years from the date this Order is entered.

c. Mr. Minnich understands and agrees that any future failure to comply with the statutes and regulations that are the subject of this Order constitutes grounds for further penalties, which may be imposed in direct response to further violation, in addition to the imposition of the suspended portion of this fine.

d. The suspended portion of this fine will be imposed at the sole discretion of the Insurance Commissioner according to the conditions as set forth above, without any right to hearing, appeal, or advance notice.

3. Mr. Minnich's failure to timely pay this fine and to adhere to the conditions shall constitute grounds for revocation of Mr. Minnich's Washington Resident Insurance Producer's license, and shall result in the recovery of the fine through a civil action brought

on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this 24<sup>th</sup> day of March, 2014.

STEVEN H. MINNICH

*Steven H. Minnich*

**ORDER**

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. Steven H. Minnich shall pay a fine in the amount of \$1,500.
2. Mr. Minnich's failure to pay the fine within the time limit set forth above shall result in the revocation of his Washington Resident Insurance Producer's license, and in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

ENTERED AT TUMWATER, WASHINGTON, this 25<sup>th</sup> day of March, 2014.

MIKE KREIDLER  
Insurance Commissioner

By *Andrea L. Philhower*  
Andrea L. Philhower  
OIC Staff Attorney  
Legal Affairs Division

MIKE KREIDLER  
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON



OFFICE OF  
INSURANCE COMMISSIONER

FILED  
Phone: (360) 225-7000  
www.insurance.wa.gov

2014 MAR 25 P 12:00

OIC HEARINGS UNIT  
PATRICIA D. PETERSEN  
CHIEF PRESIDING OFFICER

*In The Matter of*

CHARLES D. OLIVER,

Respondent.

ORDER NO. 13-0109

CONSENT ORDER LEVYING A  
FINE AND SUPERCEDING  
CEASE AND DESIST ORDER  
NO. 13-0108

COMES NOW the Insurance Commissioner of the State of Washington, pursuant to the authority provided in RCW 48.01.020, RCW 48.17.063, RCW 34.05 and RCW 48.04, and having reviewed the official records and files of the Office of the Insurance Commissioner ("OIC"), makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT:**

1. Charles D. Oliver lives in Florida. He was not a licensed Insurance Producer in Washington at the time of the events set out below.
2. OIC received a complaint from consumer FLR, who alleges that she went to Washington-licensed Insurance Producer Steven Minnich seeking financial planning for retirement. She met in person with Mr. Minnich several times. During at least two of those meetings, they had telephone conference calls or webinars with Mr. Oliver, who was providing back-office support and mentoring to Mr. Minnich about a process they call "Missed Fortune" or the "Max Funded" Concept.
3. As part of that process, Mr. Minnich and Mr. Oliver sold FLR one life insurance policy with Life Insurance Company of the Southwest ("LSW") with a death benefit of \$1,000,000



and a second policy with OM Financial Life Insurance Company ("OM Financial") with a death benefit of \$1,093,027. They also sold her an LSW annuity with a premium of \$100,500.

4. The plan was that FLR would make significant premium payments on the OM Financial and LSW policies in the first five years, wait ten years, and then take large annual tax-free loans from the policies, with minimal to no interest, for her lifetime. FLR did not have the liquid assets to fund the first five years of premium payments and was going to be hard pressed to make the premium payments entailed by the plan. FLR alleges that Mr. Oliver and Mr. Minnich did not ensure that she understood the significant risk that the policies would not perform as promised and that she may be required to make further premium payments past the first five years to keep the policies in place.

5. Mr. Minnich and Mr. Oliver searched for an annuity with terms they believed were more favorable to FLR than with annuities approved for sale in Washington. The agents knew that they were looking for an annuity not approved in Washington despite the fact that FLR was a Washington resident.

6. Mr. Minnich sold FLR the life insurance policy from LSW. He was duly licensed and appointed with LSW at the time of this transaction, which was fully and completely transacted in Washington State.

7. Mr. Oliver and Mr. Minnich agreed that Mr. Minnich would meet with FLR in Idaho to obtain her signatures on the applications for the LSW annuity and OM Financial life policy. Idaho was chosen for three reasons. First, the LSW annuity was not approved for sale in Washington. Second, Minnich and Oliver erroneously believed they could legally sell FLR a policy approved in Idaho because FLR conducted some business in Idaho and had been born in Idaho. Mr. Minnich and Mr. Oliver made no effort to ascertain the law regarding this cross-border sale, but instead relied on a form supplied by Life Insurance Company of the Southwest called a "State of Execution Certification." That form misstated Washington law. It indicated that an insurance product that is unapproved in Washington may legally be sold to a Washington resident if: the

insurance product is approved in another state, the insured executes (signs) the application in that state, and the insured "conducts business in the state of execution." FLR had a Pre-Paid Legal Services business that had a couple of clients in Idaho and went with Minnich, on the day of executing the annuity, to attempt to sell the Pre-Paid Legal Services to two of Minnich's contacts in Idaho. The third reason was that Mr. Oliver was not licensed in Washington but was licensed in Idaho, and was to receive 95% of the commission on the OM Financial life policy.

8. The LSW annuity replaced one of 3 annuities FLR owned.

9. Mr. Oliver provided, and Mr. Minnich completed, the replacement forms for the LSW Annuity. They were Idaho-approved replacement forms. However, because FLR is a Washington citizen, the Washington-approved form was required to be completed.

10. The Washington replacement form required for the LSW annuity is incomplete. There are no answers to any of the questions designed to ensure that FLR was made aware of the consequences of replacement.

11. Mr. Oliver's communications with FLR and Mr. Minnich regarding these sales were made while Mr. Oliver was in Florida and FLR was in Washington. Mr. Oliver's office prepared the majority of the illustrations, quotes, applications and paperwork on the OM Financial life insurance policy and the LSW annuity in Florida.

12. Mr. Oliver sent the LSW annuity and OM Financial insurance policy applications to Mr. Minnich. Mr. Minnich was to obtain FLR's signature because Mr. Oliver was in Florida and Mr. Minnich and FLR were in Washington.

13. Mr. Oliver did not have Washington appointments with either LSW or OM Financial, but he was appointed by those carriers in Idaho.

14. The OIC issued Cease and Desist Order No. 13-0108 on April 4, 2013, enjoining Oliver from, among other things, violating Title 48 RCW.

### **CONCLUSION OF LAW:**

1. The sales of the LSW life insurance, OM Financial life insurance, and LSW annuity occurred in Washington because - other than the actual signing of the applications for the LSW annuity and the OM Financial life insurance policy - the sale, solicitation and negotiation took place in Washington. Thus, all three sales are subject to Washington law under RCW 48.01.020. The sale is also subject to Washington law because FLR is a Washington resident.

2. By selling, soliciting, or negotiating insurance in Washington without being licensed or appointed by the insured, Mr. Oliver violated RCW 48.17.060, 48.17.160(1), 48.18.100(1), 48.17.490(2), and WAC 284-17-265(1).

3. Mr. Oliver solicited three insurance transactions, each of which constituted a replacement under WAC 284-23-410, by submitting applications for life insurance (including an annuity) for which he knew or should have known that FLR would be surrendering one policy of life insurance and borrowing against another.

4. By failing to complete the required replacement form related to these transactions (including a list properly and fully identifying all existing life insurance and/or annuity contracts to be replaced), explain it and provide a copy to FLR, and submit it to the insurers, Mr. Oliver violated WAC 284-23-440.

### **CONSENT TO ORDER:**

Charles D. Oliver, acknowledging his duty to comply fully with the applicable laws of the State of Washington, consents to the following in consideration of his desire to resolve this matter without further administrative or judicial proceedings. The Insurance Commissioner consents to settle the matter in consideration of Mr. Oliver's payment of a fine and such terms and conditions as are set forth below.

1. Mr. Oliver consents to the entry of this Order, waives any and all hearing rights, and further administrative or judicial challenges to this Consent Order.



2. By agreement of the parties, this Consent Order shall supersede and replace Cease and Desist Order No. 13-0108.

3. By agreement of the parties, the Insurance Commissioner will impose a fine of \$5,000, and suspend \$2,500 of that fine on the conditions that:

a. Within thirty days of the entry of this Order, Mr. Oliver pays \$2,500.

b. Mr. Oliver commits no further violations of the statutes and regulations that are the subject of this Order for a period of two years from the date this Order is entered.

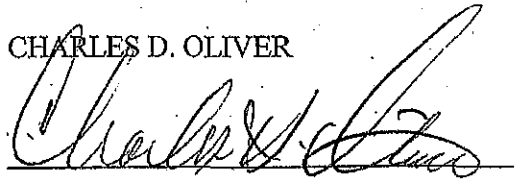
c. Mr. Oliver understands and agrees that any future failure to comply with the statutes and regulations that are the subject of this Order constitutes grounds for further penalties, which may be imposed in direct response to further violation, in addition to the imposition of the suspended portion of this fine.

d. The suspended portion of this fine will be imposed at the sole discretion of the Insurance Commissioner upon a breach by Mr. Oliver of any of the conditions as set forth above, without any right to hearing, appeal, or advance notice.

4. Mr. Oliver's failure to timely pay this fine and to adhere to the conditions shall result in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

CHARLES D. OLIVER

A handwritten signature in cursive script, appearing to read "Charles D. Oliver", is written over a horizontal line.

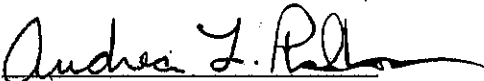
**ORDER**

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. Charles D. Oliver shall pay a fine in the amount of \$2,500.
2. Mr. Oliver's failure to pay the fine within the time limit set forth above shall result in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this 21<sup>st</sup> day of March, 2014

**MIKE KREIDLER**  
Insurance Commissioner

By:   
Andrea L. Philhower  
Staff Attorney  
Legal Affairs Division



FILED

OFFICE OF  
INSURANCE COMMISSIONER

2014 MAY -6 A 9:13

In The Matter of

CHARLES D. OLIVER,  
Respondent.

SUPPLEMENTAL CONSENT TO  
ORDER NO. 13-0109  
BY AMERICAN EQUITY  
ADVISORY GROUP, LLC, AND  
"THE CHUCK OLIVER TEAM"

CONSENT TO ORDER:

Order No. 13-0108 of the Washington Office of the Insurance Commissioner ("OIC") named American Equity Advisory Group, LLC, and "The Chuck Oliver Team" as respondents. The instant Order, OIC Order No. 13-0109, supersedes that order and names only Charles D. Oliver as respondent. To the extent such may be required or desired, the undersigned consent to the entry of this Order, waive any and all hearing rights, and further administrative or judicial challenges to this Consent Order, and may inure themselves to the benefits of the Order.

EXECUTED this 10 day of APRIL, 2014.

AMERICAN EQUITY ADVISORY GROUP, LLC

Signature

Printed Name

Title

EXECUTED this 10 day of APRIL, 2014.

"THE CHUCK OLIVER TEAM"

Signature

Printed Name

Title