



EXECUTIVE OFFICES

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF  
INSURANCE

STRAWBERRY SQUARE  
HARRISBURG, PA. 17120

2015 FEB 10 PM 12:19

ADMIN HEARINGS OFFICE

Kalvin Byrd  
5718 Wellesley Avenue  
Pittsburgh, PA 15204

Consent Order

Docket No. CO 15-01-004

AND NOW, this 10<sup>th</sup> day of February, 2015, this Order is hereby issued by the Pennsylvania Insurance Department in disposition of the matter captioned above.

Pursuant to 40 P.S. §§ 310.6 and 310.11(20), the Pennsylvania Insurance Department ("Department") is authorized to determine the worthiness of applicants to be licensed as insurance producers in the Commonwealth of Pennsylvania. The individual or business entity listed ("Applicant") has applied for licensure as an insurance producer in the Commonwealth of Pennsylvania.

Now, in lieu of further administrative proceedings and to resolve this matter, the Department and Applicant hereby agree to the following:

Applicant hereby admits and acknowledges that he/she/it has received proper notice of his/her rights to a formal administrative hearing pursuant to the Administrative Agency Law, 2 Pa. C.S. §101, *et seq.*, or other applicable law. Applicant hereby waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order, and the findings of fact and conclusions of law in paragraph 3, below, shall have the full force and effect of an order duly entered in accordance with the adjudicatory procedures set forth in the Administrative Agency Law, *supra*, or other applicable law.

1. Without admitting or denying the findings of fact and conclusions of law in paragraph 3, below, Applicant hereby consents to the terms and provisions of this Order.
2. The Department finds and concludes that Applicant is subject to the jurisdiction of the Department and that Applicant violated the following statutes:

§310.11(1) – Providing incorrect, misleading, incomplete or false information in the following license application(s):

Applicant answered no to criminal history question on his November 14, 2014 application, when he has Misdemeanor convictions from 2006 and 2011.

3. The Department orders and Applicant agrees to pay a civil penalty of Two-Hundred and Fifty Dollars (\$250.00) to the Department.
4. Payment shall be made by check payable to the Pennsylvania Insurance Department. Payment should be directed to April Phelps, Assistant to Director, Bureau of Licensing and Enforcement, Insurance Department, 1227 Strawberry Square, Harrisburg, PA 17120. Payment may be submitted with this order but shall be made no later than fourteen (14) days from the date of this Order. In no event will the license be issued until the penalty is paid.
5. In the event the Department finds that there has been a breach of any of the provisions of this Order, the Department may declare this Order to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, *supra*, or other relevant provision of law.
6. In any such enforcement proceeding, Applicant may contest whether a breach of the provisions of this Order has occurred but may not contest the findings of fact and conclusions of law in paragraph 3, above.
7. Applicant hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.
8. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

Kevin Byrd  
Applicant Signature

Arthur F. McNulty  
Arthur F. McNulty  
Deputy Insurance Commissioner

BEFORE THE INSURANCE COMMISSIONER  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

IN RE: The Act of April 9, 1929, P.L. 177, No. 175, known as The  
Administrative Code of 1929

AND NOW, this 21<sup>st</sup> day of Jan, 2015, Arthur F. McNulty,  
Deputy Insurance Commissioner, is hereby designated as the Commissioner's duly  
authorized representative for purposes of entering in and executing Consent Orders. This  
delegation of authority shall continue in effect until otherwise terminated by a later Order  
of the Insurance Commissioner.



Teresa D. Miller  
Acting Insurance Commissioner

