

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

RECEIVED
INSURANCE DEPARTMENT
2008 SEP 11 AM 10:53
ADMIN HEARINGS OFFICE

IN RE: : VIOLATIONS:
: :
GEORGE M. HUDSON : 63 Purdons Statutes, Section 856(3)
1607 Murdoch Road : :
Philadelphia, Pennsylvania 19138 : :
Respondent. : Docket No. CO08-07-002

CONSENT ORDER

AND NOW, this *11th* day of *September*, 2008, this Order is hereby issued by the Insurance Department of the Commonwealth of Pennsylvania pursuant to the statutes cited above and in disposition of the matter captioned above.

1. Respondent hereby admits and acknowledges that he has received proper notice of his rights to a formal administrative hearing pursuant to the Administrative Agency Law, 2 Pa.C.S. § 101, et seq., or other applicable law.

2. Respondent 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 contained herein, 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.

FINDINGS OF FACT

3. The Insurance Department finds true and correct each of the following

Findings of Fact:

- (a) Respondent is George M. Hudson, and resides at 1607 Murdoch Road, Philadelphia, Pennsylvania 19138.

- (b) At all relevant times herein, Respondent has held a Motor Vehicle Physical Damage Appraiser license number 243149, to conduct the business of insurance in Pennsylvania.

- (c) On July 27, 2006, Respondent was contacted by Penn National Insurance Company and requested to appraise an insurance claim for a vehicle involved in a motor vehicle accident.

- (d) On November 20, 2003, George M. Hudson was arrested for various drug violations, including the manufacturing, deliver or possession of a controlled substance with the intent to delivery, OTN #N2422560.

- (e) On June 22, 2004, Respondent was found guilty of violating §780-113 §§A16- (Knowing, Intentionally or Possessing a Controlled Substance) of

ACT 64, also known as the Controlled Substance, Drug Device and Cosmetic Act (CSDDCA).

- (f) On June 22, 2004, Respondent was found guilty of violating §780-113§§A30- (Manufacture, Delivery or Possessing with Intent to Manufacture or Deliver a Controlled Substance) of ACT 64, also known as the Controlled Substance, Drug Device and Cosmetic Act (CSDDCA).
- (g) On July 29, 2004, Respondent was ordered to serve 3-6 years confinement at the SCI Graterford State Correctional Institution located in Montgomery County, PA.
- (h) In 2005, 2006 and 2007, while incarcerated in a State Correctional Facility, Respondent renewed his Motor Vehicle Physical Damage Appraiser License and failed to disclose his Misdemeanor and/or Felony convictions to the Department.

CONCLUSIONS OF LAW

4. In accord with the above Findings of Fact and applicable provisions of law, the Insurance Department concludes and finds the following Conclusions of Law:

- (a) Respondent is subject to the jurisdiction of the Pennsylvania Insurance Department.

- (b) 63 Purdon's Statutes, 856(3), states that the Commissioner may deny initial issuance of, suspend, revoke or refuse to renew any appraiser's license if the licensee obtained his license through willful misrepresentation or fraud, or has shown himself to be incompetent, untrustworthy, or a source of injury and loss to the public.

- (c) Respondent's activities described above in paragraphs 3(c) through 3(h) violate 63 P.S. § 856.

- (d) Respondent's violations of 63 P.S. § 856(3) are punishable under 63 P.S. § 856.
 - (i) The commissioner may suspend or revoke any appraiser's license for any of the following causes:
 - (1) If the licensee willfully violates, fails to comply with, or knowingly participates in the violation of or failure to comply with any provision of this act or regulation promulgated thereunder.

- (2) If the licensee has materially misrepresented the terms of any insurance contract or has engaged in any fraudulent transaction.
- (3) If the licensee has shown himself to be incompetent or untrustworthy.

ORDER

5. In accord with the above Findings of Fact and Conclusions of Law, the Insurance Department orders and Respondent consents to the following:

- (a) Respondent shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.
- (b) All licenses/certificates of Respondent to do insurance business are hereby revoked.
- (c) If Respondent should ever become licensed in the future, his certificates and licenses may be immediately suspended by the Department following its investigation and determination that (i) any terms of this Order have not been complied with, or (ii) any complaint against Respondent is accurate and a statute or regulation has been violated. The Department's right to act under (ii)

above is limited to a period of five (5) years from the date of issuance of such certificates and licenses.

6. In the event the Insurance Department finds that there has been a breach of any of the provisions of this Order, based upon the Findings of Fact and Conclusions of Law contained herein, the Department may pursue any and all legal remedies available, including but not limited to the following: The Department may enforce the provisions of this Order in an administrative action pursuant to the Administrative Agency Law, supra, or other relevant provision of law; or, if applicable, the Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

7. Alternatively, 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.

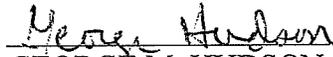
8. In any such enforcement proceeding, Respondent may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

9. Respondent hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

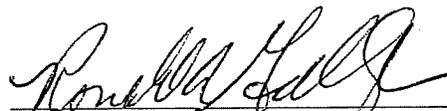
10. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

11. This Order shall be final upon execution by the Insurance Department. Only the Insurance Commissioner or the duly authorized delegee is authorized to bind the Insurance Department with respect to the settlement of the alleged violation of law contained herein, and this Consent Order is not effective until executed by the Insurance Commissioner or the duly authorized delegee.

BY:



GEORGE M. HUDSON, Respondent



By: RONALD A. GALLAGHER, JR.
Deputy Insurance Commissioner
Commonwealth of Pennsylvania