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ADMINISTRATIVE OFFICE

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:	:	Violations:
	:	
Joseph Albert Maurer, III	:	40 P.S. §§ 310.11(2), (4), (7), (8), and
81 Flint Ridge Drive	:	(20)
Reading, PA 19607	:	
	:	
Commonwealth Professional	:	
Group, Ltd.	:	
501 Washington Street, Suite 301	:	
Reading, PA 19601	:	
	:	
Commonwealth Professional	:	
Group International	:	
501 Washington Street, Suite 301	:	
Reading, PA 19601	:	
	:	
J. A. Maurer & Associates	:	
501 Washington Street, Suite 301	:	
Reading, PA 19601	:	
	:	
Respondents	:	Docket No. CO10-07-017

CONSENT ORDER

AND NOW, this 1st day of October, 2010, this Consent Order is issued by the Insurance Department of the Commonwealth of Pennsylvania ("Department") pursuant to the statutes cited above and in disposition of the matter captioned above.

1. Respondents, Joseph Albert Maurer, III ("Maurer"), Commonwealth Professional Group, Ltd., Commonwealth Professional Group International, and J. A. Maurer & Associates (collectively "Respondents") hereby admit and acknowledge that they have received proper notice of their rights to a formal administrative hearing

pursuant to the Administrative Agency Law, 2 Pa.C.S. §§ 101, *et seq.*, or other applicable law.

2. Respondents hereby waive all rights to a formal administrative hearing in this matter and agree that this Consent Order, 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 or other applicable law.

3. Without admitting or denying the Findings of Fact and Conclusions of Law contained herein, Respondents deny that they violated the Pennsylvania insurance laws.

FINDINGS OF FACT

4. Maurer, at all times relevant hereto, has been a licensed insurance producer.

5. Maurer is the owner of three insurance and/or financial service entities:

- (a) Commonwealth Professional Group, Ltd., which is licensed as a producer agency with License No. 61635 that expires on December 13, 2010;
- (b) Commonwealth Professional Group International, which was licensed as a producer agency and went inactive on August 6, 2010 for non-compliance with section 606A (b), (1) of the Insurance Department Act (40 P.S. § 310.6); and
- (c) J. A. Maurer & Associates, Inc., which is licensed as a producer agency with license number 57254 that expires February 29, 2012.

6. On June 20, 2006, Maurer and Commonwealth Professional Group, Ltd. entered into a Settlement Agreement with M. Diane Koken, in her official capacity as Insurance Commissioner of the Commonwealth of Pennsylvania, as Liquidator of Reliance Insurance Company (In Liquidation), Court of Common Pleas of Philadelphia County, Pennsylvania, April Term 2004, No. 005968.

7. Maurer and Commonwealth Professional Group, Ltd. ceased making payments to the Liquidator of Reliance as of January 2010. They are, therefore, in violation of the terms of the June 20, 2006 Settlement Agreement.

8. On December 8, 2008, Maurer entered into a Consent Order, Docket No. CO08-07-010, which is incorporated herein by reference.

9. Maurer has violated the terms of the December 8, 2008 Consent Order because he has failed to make restitution pursuant to its terms.

10. Maurer has acknowledged that he has failed to make restitution to Travelers for his failure to remit premiums.

CONCLUSIONS OF LAW

10. Maurer is subject to the jurisdiction of the Department.

11. Section 310.11(2) of the Insurance Department Act prohibits an insurance producer licensee or applicant from violating the insurance laws or regulations of this Commonwealth or a subpoena or order of the Commissioner or of another state's insurance commissioner. 40 P.S. § 310.11(2).

12. Section 310.11(4) of the Insurance Department Act prohibits an insurance producer licensee or applicant from improperly withholding,

misappropriating, or converting money or property received in the course of doing business. 40 P.S. § 310.11(4).

13. Section 310.11(7) of the Insurance Department Act prohibits an insurance producer licensee or applicant from using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of doing business. 40 P.S. § 310.11(7).

14. Section 310.11(8) of the Insurance Department Act prohibits an insurance producer licensee or applicant from having an insurance producer license, or other financial services license, or its equivalent, denied, suspended, or revoked by a governmental entity. 40 P.S. § 310.11(8).

15. Section 310.11(20) of the Insurance Department Act prohibits an insurance producer licensee or applicant from demonstrating a lack of general fitness, competence, or reliability sufficient to satisfy the Department that the licensee is worthy of licensure.

16. Maurer's activities described in paragraphs 6 and 7 above violate Sections 310.11(7) and (20) of the Insurance Department Act. 40 P.S. § 310.11 (7) and (20).

17. Maurer's activities described in paragraphs 8 and 9 above violate Sections 310.11(2), (4), (7), (8), and (20) of the Insurance Department Act. 40 P.S. § 310.11(2), (4), (7), (8), and (20).

18. Maurer's violations of Sections 310.11(2), (4), (7), (8), and (20) of the Insurance Department Act are punishable by the following, under 40 P.S. § 310.91:

(a) Suspension, revocation, or refusal to issue the certificate of

qualification or license;

- (b) Imposition of a civil penalty not to exceed \$5,000.00 for every violation of the Insurance Department Act;
- (c) An order to cease and desist; and
- (d) Any other conditions the Commissioner deems appropriate.

ORDER

19. In accord with the above Findings of Fact and Conclusions of Law, the Department Orders, and Respondents consent, to the following:

- (a) Respondents shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.
- (b) Maurer shall immediately surrender all licenses held by him and his insurance entities—Commonwealth Professional Group, Ltd., Commonwealth Professional Group International, and J.A. Maurer & Associates, Inc.
- (c) Respondents shall make full and complete payment as required under the Settlement Agreement and the prior Consent Order, referenced in paragraphs 6 and 8 above, respectively. This requirement does not exempt Respondents from further regulatory action or civil liability for any restitution or relief owed to any other persons or entities.
- (d) The Department will not consider Respondents for licensure for a minimum of five years from the date of this Order and until they provide proof to the Department that they have fully satisfied the terms

of the Settlement Agreement and the prior Consent Order referenced in paragraphs 6 and 8 above, respectively, and made restitution to any parties affected by Respondents' failure to fully and timely remit premiums, including, but not limited to amounts owed to Travelers.

- (e) If Respondents would ever become licensed in the future, those 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 Respondents is accurate and a statute or regulation has been violated. The Department's right to act under this section is limited to a period of five years from the date of issuance of such certificates and licenses.
- (f) Respondents specifically waive their right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than 30 days after the date the Department mailed to Respondents by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within 60 days of the Department's receipt of Respondents' written request.
- (g) At the hearing referred to in paragraph 19(f) of this Order, Respondents shall have the burden of demonstrating that they are worthy of an insurance certificate and license.

- (h) In the event Respondents' certificates and licenses are suspended pursuant to paragraph 19(e) above, and Respondents either fail to request a hearing within 30 days or at the hearing fail to demonstrate that they are worthy of a certificate and license, Respondents' suspended certificates and licenses shall be revoked.
- (i) If Maurer has not already divested himself of any ownership interest as it pertains to the business of insurance in Commonwealth Professional Group, Ltd., Commonwealth Professional Group International, and J. A. Maurer & Associates by the date of this Consent Order, his license surrenders herein will automatically convert to revocations.

20. In the event the 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.

21. 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 or other relevant provision of law.

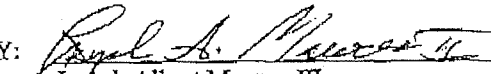
22. In any such enforcement proceeding, Respondents may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

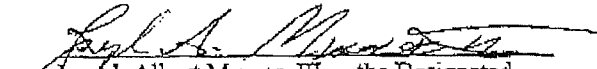
23. Respondents hereby expressly waive any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

24. 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.

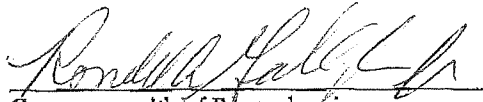
25. This Order shall be final upon execution by the Department. Only the Insurance Commissioner or a duly authorized delegee is authorized to bind the Department with respect to the settlement of the alleged violations of law contained herein. This Consent Order is not effective until executed by the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

26. Each signatory to this Consent Order warrants that he has the authority to execute this Agreement on behalf of the party for which such execution is made and to bind that party through such execution.

BY: 
Joseph Albert Maurer, III,
individually and on behalf of
Commonwealth Professional Group, Ltd.,
Commonwealth Professional Group
International, and
J. A. Maurer & Associates, Inc.


Joseph Albert Maurer, III as the Designated
Licensee of Commonwealth Professional Group,
Ltd. and J. A. Maurer & Associates, Inc.

Anthony Gallo, Esquire
On behalf of Joseph Albert Maurer, III,
individually and on behalf of Commonwealth
Professional Group, Ltd., Commonwealth
Professional Group International, and J. A.
Maurer & Associates, Inc., and on behalf of
Joseph Albert Maurer, III as the Designated
Licensee of Commonwealth Professional Group,
Ltd. and J. A. Maurer & Associates



Commonwealth of Pennsylvania
Ronald A. Gallagher, Jr.
Deputy Insurance Commissioner