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INSURANCE DEPARTMENT

BEFORE THE INSURANCE COMMISSIONER | 5 PM 12:33
OF THE
COMMONWEALTH OF PENNSYLVANIA | HEARINGS OFFICE

IN RE:

Application of Robin L. Young
Requesting Written Consent to Engage in
the Business of Insurance

Pursuant to the Violent Crime Control and Law
Enforcement Act of 1994, 18 U.S.C. §1033

ALLEGED VIOLATIONS:

Sections 606-A and 611-A(1) of Act 147 of
2002 (40 P.S. §§ 310.6 and 310.11)

Docket No. CW07-06-047

CONSENT ORDER

AND NOW, this 15th day of August, 2007, 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. To the extent applicable, 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 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

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

Findings of Fact:

- (a) Applicant is Robin L. Young, and maintains her address at 2023 Kenden Drive, East Pittsburgh, Pennsylvania 15221.
- (b) Applicant currently has a pending application for a certificate of qualification/ license to transact insurance as a producer in this Commonwealth.
- (c) On December 16, 1994, Applicant was found guilty of a felony involving breach of trust or dishonesty relating to misapplication of monies, funds and credits.
- (d) As a result of said conviction, Applicant was sentenced to 12 months' probation.
- (e) Applicant knew, or should have known, that the conviction constituted a criminal felony conviction in 1994.
- (f) Applicant failed to disclose the felony conviction to the Pennsylvania Insurance Department on her initial producer license application on November 29, 2006.

- (g) On April 27, 2007, Applicant submitted an application to the Pennsylvania Insurance Department for written consent to engage in the business of insurance pursuant to 18 U.S.C. §1033(e)(2).

- (h) The activities in which Applicant desires to engage constitute the business of insurance within the meaning of 18 U.S.C. § 1033(e)(1)(A) and (f).

CONCLUSIONS OF LAW

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

- (a) 18 U.S.C. §1033(e)(2) provides that persons convicted of felonies involving dishonesty or a breach of trust may not engage in the business of insurance or participate in such business unless such person has the written consent of any insurance regulatory official authorized to regulate the insurer, which consent specifically refers to 18 U.S.C. §1033(e)(2).

- (b) Applicant's conviction is a criminal felony involving dishonesty or a breach of trust within the meaning of 18 U.S.C. §1033(e)(1)(A).

- (c) Accordingly, Applicant may not engage in the business of insurance without a written consent issued by the Insurance Department pursuant to 18 U.S.C. § 1033(e)(2).
- (d) Applicant is subject to the jurisdiction of the Pennsylvania Insurance Department.
- (e) Section 606-A of Act 147 of 2002 prohibits the grant of a producers license except to an applicant worthy of a license (40 P.S. § 310.6).
- (f) Section 611-A(1) of Act 147 of 2002 (40 P.S. § 310.11) prohibits an applicant for an insurance producer license from providing incorrect, misleading, incomplete or false information to the department in a license application.
- (g) Applicant's failure to disclose the felony conviction constitutes a violation of Sections 606-A and 611-A(1) of Act 147 of 2002 (40 P.S. § 310.11).
- (h) Applicant's violation of Sections 606-A and 611-A(1) of Act 147 of 2002 are punishable by the following, under Section 691-A of Act 147 of 2002 (40 P.S. § 310.91):
 - (i) suspension, revocation or refusal to issue the certificate of qualification or license;

- (ii) imposition of a civil penalty not to exceed five thousand dollars (\$5,000.00) for every violation of the Act;
- (iii) an order to cease and desist; and
- (iv) any other conditions as the Commissioner deems appropriate.

ORDER

4. Accordingly, the Insurance Department orders and Applicant consents to the following:

- (a) Applicant shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law. Applicant shall further comply with Pennsylvania insurance laws and regulations.
- (b) Pursuant to 18 U.S.C. § 1033(e)(2), Applicant may engage in the business of insurance as a producer, and only in such capacity, subject to the terms and conditions of this Order, which terms and conditions contained herein are necessary and sufficient to ensure that Applicant may engage in the business of insurance in a manner that is not reasonably likely to cause harm to the public, policyholders or the industry.
- (c) Applicant shall pay the sum of One Thousand Dollars (\$1,000.00) to the Commonwealth of Pennsylvania. This check should be made payable to the

Commonwealth of Pennsylvania, and directed to Sharon L. Fraser, Office Manager, Bureau of Enforcement, 1227 Strawberry Square, Harrisburg, Pennsylvania 17120. Payment may be enclosed with the Consent Order, but must be paid in any event no later than thirty (30) days from the date of this Order.

5. The term of this Order shall remain in place for a period of five years and, thereafter, unless and until the Department terminates the Order. Nothing in this Order shall preclude the Department, in its sole discretion, from decreasing or lessening the restrictions contained in this Order in whole or in part while it is in effect. Any such lessening of the restrictions contained in this Order shall be made in writing by the Department in accordance with the procedures set forth in paragraph 14 of this Order. Further, Applicant shall not apply nor otherwise seek to reduce or remove the restrictions contained in this Order for a period of at least five years.

6. Following the five-year period referenced in paragraph 5, above, this Order shall continue unless and until the Department affirmatively terminates it. Nothing in this Order shall be construed as conferring upon Applicant any property right or interest as a result of receiving this conditional consent to engage in the business of insurance in accordance with the terms of this Order. Applicant expressly waives any right to assert that he is entitled to a hearing on the termination of this Order following the expiration of the five-year period referenced in paragraph 5. Should the Insurance Department terminate this Order after the five year period referenced in paragraph 5, above,

Applicant may file a new application for a written consent as set forth in paragraph 4(b), above, to engage in the business of insurance under 18 U.S.C. § 1033(e)(2).

7. The Department's conditional consent permitting Applicant to engage in the business of insurance, and Applicant's certificates and licenses, may be immediately suspended upon notice by the Department following its investigation and determination that Applicant has failed to adhere to any condition set forth in this Order or has violated an insurance statute or regulation.

8. Applicant shall have no right to prior notice of such a suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days from the date the Department mailed to Applicant by certified mail, return receipt requested, notification of such suspension, which hearing shall be held within sixty (60) days of the Department's receipt of Applicant's written request for a hearing.

9. At the hearing referred to in paragraph 8 above, Applicant shall have the burden of demonstrating worthiness to hold an insurance certificate and license and a conditional consent to engage in the business of insurance. In the event Applicant's conditional consent, certificates, and licenses are suspended pursuant to paragraph 8 above, and Applicant either fails to request a hearing within 30 days or at the hearing fails to demonstrate worthiness to hold a certificate and license, Applicant's suspended conditional consent, certificates and licenses shall be revoked.

10. 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.

11. Alternatively, in the event the Insurance Department finds that there has been a breach of any 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.

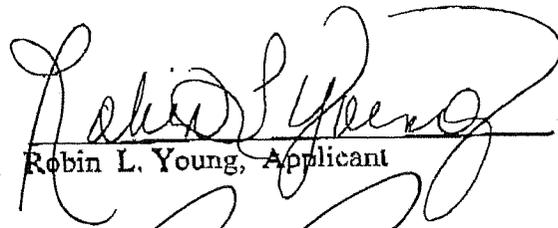
12. In any such enforcement proceeding, Applicant may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact or Conclusions of Law contained herein.

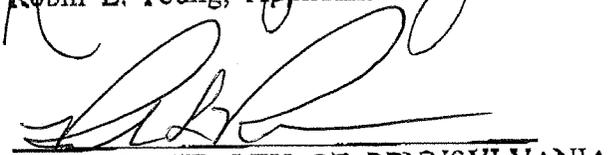
13. Applicant hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

14. 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.

15. 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 matters addressed herein, and this Consent Order is not effective until executed by the Insurance Commissioner or the duly authorized delegee.

BY:


Robin L. Young, Applicant


COMMONWEALTH OF PENNSYLVANIA
By: Randolph L. Rohrbaugh
Deputy Insurance Commissioner



**COMMONWEALTH OF PENNSYLVANIA
INSURANCE DEPARTMENT
ADMINISTRATIVE HEARINGS OFFICE**

901 North Seventh Street
Room 200
Harrisburg, PA 17102

Phone (717) 783-2126
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Email Hearings@ins.state.pa.us

August 15, 2007

Robin L. Young
2023 Kenden Drive
East Pittsburgh, PA 15221

**RE: Robin L. Young
CONSENT ORDER
Docket No. CW07-06-047**

Dear Ms. Young:

I am sending this date a Consent Order executed by Randolph L. Rohrbaugh, Deputy Insurance Commissioner. The civil penalty of \$1,000.00, per paragraph 4(c), on page five of the Consent Order must be paid within 30 days of the date of this Consent Order. Payments should be made payable to the Commonwealth of Pennsylvania and directed to Sharon L. Fraser, Office Manager, Bureau of Enforcement, 1227 Strawberry Square, Harrisburg, PA 17120.

Sincerely,

A handwritten signature in cursive script that reads "Jean Martin".

Jean Martin,
Assistant Hearings Administrator

Cc: Ronald Gallagher, Deputy
Insurance Commissioner

Christopher Knight
Department Counsel

✓ Sharon Fraser, Office Manager
Bureau of Enforcement

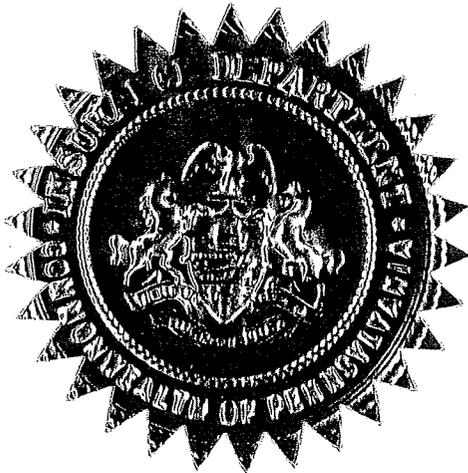
Vern Schmidt
Special Investigator

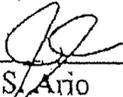
Jim Krebs, Chief
Bureau of Producer Services

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 6th day of July 2007, Randolph L. Rohrbaugh,
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.





Joel S. Ario
Insurance Commissioner