

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

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ADMINISTRATIVE OFFICE

IN RE: : VIOLATIONS:
: :
GEORGE ANDREW BRADFORD : 40 P.S. §§310.5(b), 310.11(7), (14), (17),
doing business as : (20), 310.78(b) and 1171.5(a)(12)
A AFFORDABLE INSURANCE :
AGENCY : Title 31, Pa. Code, §37.42
80 Andover Road :
Glenmoore, PA 19343 :
: :
Respondent. : Docket No. CO10-04-025

CONSENT ORDER

AND NOW, this *22nd* day of *July*, *2010*, 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 Andrew Bradford and maintains his address at 80 Andover Road, Glenmoore, PA 19343.
- (b) At all relevant times herein, Respondent has held an active resident producer license # 378416 to conduct the business of insurance in Pennsylvania. The license expires on October 31, 2011.
- (c) Respondent used the business entity name "A Affordable Insurance Agency" without licensing the agency.
- (d) Between 2005 and 2007, Respondent knowingly submitted automobile insurance applications to various insurance carriers which contained false, inaccurate and misleading information.

- (e) Between 2005 and 2007, Respondent knowingly submitted life insurance applications to Globe Life Insurance which contained false, inaccurate and misleading information.
- (f) Between 2005 and 2007, Respondent submitted life insurance applications to Globe Life Insurance Company without being properly appointed with that company.
- (g) Between 2005 and 2007, Respondent made false statements to insurance carriers on life insurance applications in which he had no insurable interest and for the purpose of obtaining a fee or commission.
- (h) On October 10, 2008, Respondent was arrested and charged with felonies by the Pennsylvania Office of the Attorney General and the Pennsylvania State Police.
- (i) On February 4, 2010, Respondent pled guilty and was convicted in the Chester County Court of Common Pleas to seven (7) felony charges.
- (j) Respondent failed to report his criminal arrest dated October 10, 2008 to the Department within thirty (30) days, as required.

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.

- (c) 40 P.S. § 310.5(b) requires a business entity with an office in this Commonwealth to apply for a resident insurance producer license.

- (d) Respondent's activities described above in paragraph 3(c) violate 40 P.S. § 305.5(b).

- (e) 40 P.S. § 310.11(7) prohibits a licensee or an applicant from using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of doing business.

- (f) Respondent's activities described above in paragraphs 3(c) through 3(j) violate 40 P.S. § 310.11(7).

- (g) 40 P.S. § 310.11(14) prohibits a licensee or an applicant from committing a felony or its equivalent.

- (h) Respondent's activities described above in paragraphs 3(h) and 3(i) violate 40 P.S. § 310.11(14).

- (i) 40 P.S. § 310.11(17) prohibits a licensee or an applicant from committing fraud, forgery, dishonest acts or an act involving a breach of fiduciary duty.

- (j) Respondent's activities described above in paragraphs 3(c) through 3(j) violate 40 P.S. § 310.11(17).

- (k) 40 P. S. § 310.11(20) prohibits a licensee from demonstrating a lack of general fitness, competence or reliability sufficient to satisfy the Department that the licensee is worthy of licensure.

- (l) Respondent's activities described above in paragraphs 3(c) through 3(j) violate 40 P.S. § 310.11(20).

- (m) 40 P.S. § 310.78(b) requires that within 30 days of being charged with criminal conduct, a licensee shall report the charges to the Department. The licensee shall provide the Department with a copy of the criminal complaint,

information or indictment, a copy of the order resulting from any pretrial hearing, and a report of the final disposition of the charges.

(n) Respondent's activities described above in paragraph 3(h) constitute failure to notify the Department of the charges and subsequent conviction and violate 40 P.S. § 310.78(b).

(o) Respondent's violations of Sections 310.5(b), 310.11(7), (14), (17), (20) and 310.78(b) are punishable by the following, under 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.

(p) 40 P.S. § 1171.5(a)(12) prohibits agents from making false or fraudulent statements or representations on or relative to an application for an insurance policy.

(q) Respondent's activities described above in paragraphs 3(d) through 3(g) constitute making false or fraudulent statements or representations on or

relative to an application for an insurance policy and violate 40 P.S.
§ 1171.5(a)(12).

(r) Respondent's violations of 40 P.S. §1171.5(a)(12) are punishable by the following, under 40 Purdons Statutes, Sections 1171.8, 1171.9, and 1171.11:

(i) an order requiring Respondent to cease and desist from engaging in such violation and/or, if such violation is a method of competition, act or practice defined in Section 5 of this Act, suspension or revocation of Respondent's license(s);

(ii) commencement of an action against Respondent for the following civil penalties:

(1) for each method of competition, act or practice defined in Section 5 and in violation of the Act which Respondent knew or reasonably should have known was such a violation, a penalty of not more than five thousand dollars (\$5,000.00) for each violation, not to exceed an aggregate penalty of fifty thousand dollars (\$50,000.00) in any six month period;

(2) for each method of competition, act or practice defined in Section 5 and in violation of this Act which Respondent did

not know nor reasonably should have known was such a violation, a penalty of not more than one thousand dollars (\$1,000.00) for each violation, not to exceed an aggregate penalty of ten thousand dollars (\$10,000.00) in any six month period;

- (3) for each violation of an Order issued by the Commissioner pursuant to Section 9 of the Act, while such Order is in effect, a penalty of not more than ten thousand dollars (\$10,000.00).
- (s) Title 31, Pennsylvania Code, Section 37.42 requires certificates and licenses to accurately reflect the name of the individual producer and indicate if fictitious names in which the producer transacts insurance are on file with the Department. Fictitious names used by a producer shall be registered with the Department of State and will be provided by the Department upon request.
- (t) Respondent's activities described above in paragraph 3(c) violate Title 31, Pennsylvania Code, Section 37.42.

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 the business of insurance 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 this section is limited to a period of five (5) years from the date of issuance of such certificates and licenses.
- (d) Respondent specifically waives his right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the Department mailed to Respondent by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within sixty (60) days of the Department's receipt of Respondent's written request.

(e) At the hearing referred to in paragraph 5(d) of this Order, Respondent shall have the burden of demonstrating that he is worthy of an insurance certificate and license.

(f) In the event Respondent's certificates and licenses are suspended pursuant to paragraph 5(c) above, and Respondent either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that he is worthy of a certificate and license, Respondent's suspended certificates and licenses shall be revoked.

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 Insurance 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 a duly authorized delegee is authorized to bind the Insurance Department with respect to the settlement of the alleged violations of

law contained herein, and this Consent Order is not effective until executed by the Insurance Commissioner or a duly authorized delegee.

BY: 

GEORGE ANDREW BRADFORD, doing
business as A AFFORDABLE INSURANCE
AGENCY, Respondent



COMMONWEALTH OF PENNSYLVANIA
By: Ronald A. Gallagher, Jr.
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 22nd day of July, 2008, Ronald A.

Gallagher, 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

