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By Admin Hearings, Ins Dept at 3:50 pm, Dec 13, 2021

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:

TAMI DELONG
11850 Dr. Martin Luther King Street N, Apt 8108
St. Petersburg, FL 33716-1627

VIOLATIONS:

40 P.S. §§ 310.11(1), (20) and
310.78(a)

Respondent.

Docket No. CO21-II-017

CONSENT ORDER

AND NOW, this 13th day of December, 2021, this Order is hereby issued by the Insurance Department of Commonwealth of Pennsylvania pursuant to the statutes cited above and in disposition of the matter captioned above.

1. Respondent hereby admits and acknowledges that she has received proper notice of her 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 OFF ACT

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

Findings of Fact:

- (a) Respondent is Tami Delong and maintains a record of her address with the Pennsylvania Insurance Department as 11850 Dr. Martin Luther King Street N, Apartment 8108, St. Petersburg, Florida 33716-1627.
- (b) Respondent is, and at all times relevant hereto has been, a licensed Non-Resident Producer.
- (c) Respondent, on December 2, 1998, was charged by the Pinellas County Sheriff Department (Pinellas, FL) with Obtaining Property In Return For Worthless Check, a Misdemeanor.
- (d) Respondent, on June 27, 2002, was charged by the Pinellas County Sheriff Department (Pinellas, FL) with Retail Theft in violation of Citrus County Probation, a Misdemeanor.
- (e) Respondent, on January 11, 2004, was charged by the Pinellas County Sheriff Department (Pinellas, FL) with Obtaining Property In Return For Worthless Check, a Misdemeanor.
- (f) Respondent, on January 11, 2004, pleaded Nolo Contendere in the Sixth Judicial Circuit Court of Pinellas County and was sentenced under and

Adjudicated Guilty to the charges identified in findings 3(c) through 3(e).

- (g) Respondent, on July 8, 2020, submitted an initial non-resident Pennsylvania application for licensure and incorrectly answered "No" to the question "[h]ave you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?" Respondent's license was auto approved due to the incorrect answer.
- (h) Respondent, on October 27, 2020, was fined \$250.00 by Louisiana Insurance Department for failure to disclose her criminal conviction identified in finding 3(f).
- (i) Respondent, on February 3, 2021, was issued a license suspension by Louisiana Insurance Department for failure to pay the \$250.00 financial penalty identified in finding 3(h).
- (j) Respondent, on April 26, 2021, was issued a license revocation by the Washington Insurance Department for failure to report other state's administrative actions and failing to respond to Departmental inquiries.
- (k) Respondent, on June 14, 2021, was issued an indefinite license suspension by the Indiana Insurance Department for failure to submit a list of appointments within 10 days

- (l) Respondent failed to notify the Department of the actions identified in findings (h) through (k) within 30 days.

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) 40 P.S. § 310.11(1) prohibits a licensee or an applicant for a license from providing incorrect, misleading, incomplete or false information to the Department in a license application.
- (c) Respondent's activities described in paragraph 3(g) violate 40 P.S. § 310.11(1).
- (d) 40 P.S. § 310.11(20) prohibits a licensee or an applicant from demonstrating a lack of general fitness, competence or reliability sufficient to satisfy the Department that the licensee is worthy of licensure.
- (e) Respondent's activities described in paragraphs 3(g) through 3(k) violate 40 P.S. § 310.11(20).

- (f) 40 P.S. § 310.78(a) requires a licensee to report any administrative action taken in another jurisdiction or by another governmental agency within 30 days of the final disposition, to include a copy of the order, consent order or other relevant legal documents.
- (g) Respondent's activities described in paragraphs 3(h) through 3(k) violate 40 P.S. § 310.78(a).
- (h) Respondent's violations of 40 P.S. §§ 310.11(1), (20) and 310.78(a) are punishable by the following, under 40 P.S. § 310.91:
 - (i) suspension, revocation or refusal to issue the 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

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) Respondent shall immediately surrender all licenses to conduct the business of insurance within the Commonwealth of Pennsylvania as of the date of this Consent Order.
- (c) If Respondent should ever become licensed in the future, her 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 licenses.
- (d) Respondent specifically waives her 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 she is worthy of an insurance license.
- (f) In the event Respondent's 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 she is worthy of a license, Respondent's suspended 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 provisions 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 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 duly authorized delegee.

BY.: 
TAMI DELONG, Respondent



COMMONWEALTH OF PENNSYLVANIA
By: DAVID J. BUONO JR.
Acting Deputy Insurance Commissioner