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BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:

WILLIAM RODERICK GRIFFITH
1300 Woodcrest Drive
Reading, PA 19607

Applicant.

VIOLATIONS:

40 P.S. §§ 310.11(1), (2), (13),
(20), 310.78(a) and (b)

Docket No. CO22-09-026

CONSENT ORDER

AND NOW, this 4th day of October, 2022, 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. Applicant 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. 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

3. The Pennsylvania Insurance Department ("Department") finds true and correct each of the following Findings of Fact:

- (a) Applicant is William Roderick Griffith and maintains a record of his address with the Pennsylvania Insurance Department as 1300 Woodcrest Drive, Reading, PA 19607.
- (b) Applicant is a prior licensee who failed to renew his license on January 31, 2012, and does not currently possess a Resident Producer license.
- (c) The Pennsylvania Department of Revenue, on June 29, 2007, placed a lien against the Applicant in the Court of Common Pleas of Berks County, Pennsylvania, for taxes in the amount of \$2,529.19.
- (d) Applicant, on January 6, 2009, was indicted on two (2) counts of Insurance Fraud Second Degree, Conspiracy Second Degree, and Workers' Compensation Fraud Fourth Degree, in the Superior Court of New Jersey Camden County.
- (e) Applicant failed to report the charges identified in finding 3(d) to the Pennsylvania Insurance Department within thirty (30) days.
- (f) Applicant, on June 27, 2009, submitted an application for license renewal and incorrectly answered "No" to the questions that asks,

"[s]ince the last renewal or initial application in this state, have you failed to pay state income tax or comply with any administrative or court order directing the payment of state income tax?"

- (g) Applicant, on October 14, 2009, entered into a Consent Order with the Pennsylvania Insurance Department and was placed under supervision for five (5) years, and was ordered to pay restitution to the Pennsylvania Department of Revenue in the amount of \$2,529.19, for failing to notify the Department of the charges identified in finding 3(d) within thirty (30) days and for the incorrect answer on his June 27, 2009, license renewal application regarding his failure to pay state income taxes.
- (h) Applicant, as part of the Consent Order, was to surrender his Pennsylvania Resident Producer license within three (3) days upon conviction or entry of a guilty plea or plea of nolo contendere to the charges identified in finding 3(d).
- (i) Applicant, on March 26, 2010, entered into a Pretrial Intervention with the Superior Court of New Jersey, Camden County, for the charges cited in finding 3(d) for twelve (12) months.
- (j) Applicant, on July 28, 2010, was imposed a penalty of \$1,500.00 by the New Jersey Office of the Insurance Fraud Prosecutor for allegedly knowingly misrepresenting material information on workers' compensation policies with one or more insurance companies in order to obtain lower insurance premiums.

- (k) Applicant, on October 18, 2010, completed the Pretrial Intervention, and the charges identified in finding 3(d) were dismissed.
- (l) Applicant failed to report the administrative action identified in finding 3(j) to the Pennsylvania Insurance Department within thirty (30) days.
- (m) Applicant electronically initiated an application for a Resident Applicant license on April 21, 2022, wherein, he disclosed his criminal, administrative action, and tax history.

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) Applicant 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) Applicant's activities described in paragraph 3(f) violate 40 P.S. § 310.11(1).

- (d) 40 P.S. § 310.11(2) prohibits a licensee or an 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.
- (e) Applicant's activities described above in paragraphs 3(d), 3(e), 3(f), 3(j) and 3(l) violate 40 P.S. § 310.11(2).
- (f) 40 P.S. § 310.11(13) prohibits a licensee or an applicant from failing to pay state income tax or comply with any administrative or court order directing the payment of state income tax.
- (g) Applicant's activities described in paragraph 3(c) violate 40 P.S. § 310.11(13).
- (h) 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.
- (i) Applicant's activities described in paragraphs 3(c) through 3(l) violate 40 P.S. § 310.11(20).
- (j) 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.

- (k) Applicant's activities described in paragraph 3(l) violate 40 P.S. § 310.78(a).
- (l) 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. Additionally, the licensee shall provide the Department with the following within 30 days of their availability to the licensee:
 - (1) a copy of the criminal complaint, information or indictment.
 - (2) a copy of the order resulting from any pretrial hearing.
 - (3) a report of the final disposition of the charges.
- (m) Applicant's activities described in paragraph 3(e) violate 40 P.S. § 310.78(b).
- (n) Applicant's violations of 40 P.S. §§ 310.11(1), (2), (13), (20), 310.78(a) and (b) 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, and as a condition of licensure, 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.
- (b) Applicant's 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 confirmed complaint against Applicant 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 ten (10) years from the date of this Order.
- (c) Applicant 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 Applicant 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 Applicant's written request.

(d) At the hearing referred to in paragraph 5(c) of this Order, Applicant shall have the burden of demonstrating that he is worthy of a license.

(e) In the event Applicant's licenses are suspended pursuant to paragraph 5(b) above, and Applicant either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that he is worthy of a license, Applicant'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.

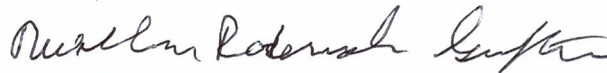
7. Alternatively, in the event the Insurance Department finds there has been a breach of any of the provisions of this Order, the Department may declare this Order to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, supra, or other relevant provision of law.

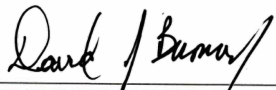
8. In any such enforcement proceeding, Applicant may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

9. Applicant 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: 
WILLIAM RODERICK GRIFFITH, Applicant


COMMONWEALTH OF PENNSYLVANIA
By: DAVID J. BUONO 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 __31st__ day of __March____, 2022, David J. Buono, Jr.,
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.



Michael Humphreys
Acting Insurance Commissioner

