

RECEIVED

By Admin Hearings, Ins Dept at 12:37 pm, Oct 28, 2021

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:

CHRISTINE WILHELMINA JOHNSON
260 W 1700 S APT. 23
CLEARFIELD, UT 84015

Applicant.

:
:
:
:
:
:
:
:
:
:
:

VIOLATIONS:

40 P.S. §§ 310.6(a)(6), 310.11(15)
and (20)

Docket No. CO21-09-007

CONSENT ORDER

AND NOW, this 28th day of October, 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. Applicant 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. 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 Insurance Department finds true and correct each of the following Findings of Fact:

- (a) Applicant is Christine Johnson and maintains a record of her address with the Pennsylvania Insurance Department as 260 W. 1700 St., Apt. 23, Clearfield, UT 84015.
- (b) Applicant does not possess a Non-Resident Producer license.
- (c) Applicant, on September 10, 2004, pleaded guilty to Shoplifting, a misdemeanor, was sentenced to take a class at local health department and pay fines.
- (d) Applicant, on April 07, 2008, was found guilty of Soliciting Prostitution, a misdemeanor, in the Justice Court of Las Vegas Township, NV and was sentenced to paying costs and fines.
- (e) Applicant, on May 28, 2008, was found guilty of Conspiracy to commit grand larceny, a misdemeanor, in the District Court of Clark County, NV and was sentenced to one (1) year in the Clark County Detention Center, three (3) years under the supervision of probation, community service, fines and costs.

- (f) Applicant, on her May 27, 2021, Non-Resident application fully disclosed her criminal 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. § 310.6(a)(6), states that the Department shall issue a producer license, provided the applicant possesses the general fitness, competence and reliability sufficient to satisfy the Department that the applicant is worthy of a license.
- (c) Applicant's activities described in paragraphs 3(c) through 3(e) would disqualify the Applicant from licensure pursuant to 40 P.S. § 310.6(a)(6).
- (d) 40 P.S. § 310.11(15) prohibits a licensee or an applicant from committing a misdemeanor that involves the misuse or theft of money or property belonging to another person.
- (e) Applicant's activities described in paragraphs 3(c) and 3(e) violate 40 P.S. § 310.11(15).

- (f) 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.
- (g) Applicant's activities described in paragraphs 3(c) through 3(e) violate 40 P.S. § 310.11(20).
- (h) Applicant's violations of 40 P.S. §§ 310.6(a)(6), 310.11(15) and (20) 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 five (5) years from the date of this Order.
- (c) Applicant 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 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 she 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 she 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.

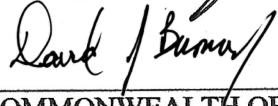
8. In any such enforcement proceeding, Applicant may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

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: 
CHRISTINE WILHELMINA JOHNSON, Applicant


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