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By Admin Hearings, Ins Dept at 1:16 pm, Apr 27, 2022

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:

SHANELLE THORNTON
138 Village Drive
Schwenksville, PA 19473

VIOLATIONS:

40 P.S. § 310.11(1), (2) and (20)

Respondent.

Docket No. CO22-04-009

CONSENT ORDER

AND NOW, this 27th day of April, 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. 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 OF FACT

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

- (a) Respondent is Shanelle Thornton and maintains a record of her address with the Pennsylvania Insurance Department as 138 Village Drive, Schwenksville, PA 19473.
- (b) Respondent, since March 18, 2021, has been a licensed resident producer.
- (c) Respondent, on October 14, 2020, was charged by Pennsylvania Office of State Inspector General (Montgomery, PA) with one (1) count of Fraud Obtaining Food Stamps/Assistance, a Felony.
- (d) Respondent, on February 26, 2021, submitted an initial application for licensure and incorrectly answered "No" to the question that asks, "[h]ave you ever been convicted of or pled nolo contendere (no contest) to any misdemeanor or felony or currently have pending misdemeanor or felony charges filed against you?"
- (e) Respondent, on March 23, 2022, had her pending criminal charge identified in finding 3(c) dismissed in Magisterial District Court 38-1-16 (Montgomery, PA).

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(d) 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) Respondent's activities described above in paragraph 3(d) violate 40 P.S. § 310.11(2).
- (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) Respondent's activities described in paragraphs 3(c) through 3(e) violate 40 P.S. § 310.11(20).
- (h) Respondent's violations of 40 P.S. § 310.11(1), (2) 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, 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 pay a civil penalty of two hundred fifty dollars (\$250.00) to the Commonwealth of Pennsylvania. Payment of this penalty shall be made by certified check or money order, payable to the Commonwealth of Pennsylvania. Payment should be directed to the

Pennsylvania Insurance Department, Bureau of Licensing and 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 fourteen (14) days after the date of the Consent Order.

- (c) Respondent'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 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 this Order.
- (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 a 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.

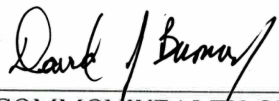
8. In any such enforcement proceeding, Respondent may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

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: 
SHANELLE THORNTON, Respondent


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





04-13-2022

Shanelle Thornton
138 Village Drive
Schwenksville PA 19473
SHANELLE0918@GMAIL.COM

Re: Department File # 2022-0678-03

Dear Ms. Thornton:

Enclosed is a Consent Order for your consideration and signature.

The Terms of the Consent Order are explained, and any penalties imposed will not become effective until the Deputy Insurance Commissioner has executed the Consent Order. **DO NOT** date the Consent Order on the first page, as it is not effective until executed with the Deputy Insurance Commissioner's signature. Upon your review, sign the Consent Order as indicated on the last page and return.

The signed Consent Order must be returned within 15 days of the date of this letter. Scan the entire document and return to mashman@pa.gov.

After receipt, the signed Consent Order will be forwarded to the Deputy Insurance Commissioner for their consideration. If the Deputy Insurance Commissioner executes the Consent Order, a signed copy will be returned to you for your records. If the Deputy Insurance Commissioner declines to execute the Consent Order, you will be contacted regarding further proceedings.

If a penalty is ordered, a cashier's check or money order for the full amount made payable to the Commonwealth of Pennsylvania is required to be sent within fourteen (14) days of execution of this document by the Deputy Commissioner. The penalty can be mailed to:

Pennsylvania Insurance Department
Bureau of Licensing and Enforcement
1227 Strawberry Square
Harrisburg, PA 17120

Your prompt attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Fissel". The signature is fluid and cursive, written over a light blue horizontal line.

Michael Fissel, Chief
Enforcement Division