

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Department of Insurance and Financial Services

Enforcement Case No. 14-11922

Agency Case No. 14-019-L

Petitioner,

v

Ryan David Wilson
System ID No. 0464298

Respondent.

Issued and enter
this 16th day of July 20 14
by Randall S. Gregg
Special Deputy Director

FINAL DECISION

I. BACKGROUND

Respondent Ryan David Wilson (Respondent) is a licensed insurance producer. In November 2013, the Department of Insurance and Financial Services (DIFS) received information that Respondent had been convicted of felony identity theft. DIFS investigated the complaint and confirmed that Respondent was convicted of identity theft. On March 27, 2014, DIFS issued a Notice of Opportunity to Show Compliance (NOSC) to Respondent at his last known address alleging that Respondent had provided justification for revocation of licensure pursuant to Sections 1239(1)(f) and (h), and 1247(2) of the Michigan Insurance Code (Code), MCL 500.1239(1)(f) and (h), and 500.1247(2). Respondent failed to reply to the NOSC.

On May 23, 2014, DIFS issued an Administrative Complaint and Order for Hearing to Respondent at his last known address. The Order for Hearing required Respondent to take one of the following actions within 21 days: agree to a resolution of the case, file a response to the allegations with a statement that Respondent planned to attend the hearing, or request an adjournment. Respondent failed to take any of these actions.

On June 30, 2014, DIFS staff filed a Motion for Final Decision. Respondent did not file a reply to the motion. Given Respondent's failure to respond, Petitioner's motion is granted. The

Administrative Complaint, being unchallenged, is accepted as true. Based upon the Administrative Complaint, the Director makes the following Findings of Fact and Conclusions of Law.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Director is statutorily charged by the Code with the enforcement and responsibility to exercise general supervision and control over persons transacting the business of insurance in Michigan.
2. At all relevant times, Respondent was a licensed insurance producer with qualifications in accident and health, casualty, life, property, and variable annuity.
3. On or about June 6, 2013, Respondent was charged with three counts of felony identity theft.
4. While no police report was filed, Respondent appears to have applied for three credit cards in another person's name.
5. On or about September 26, 2013, Respondent pled nolo contendere to one count of felony identity theft.
6. As a licensee, Respondent knew or had reason to know that Section 1239(1)(f) of the Code, MCL 500.1239(1)(f), allows the Director to place on probation, suspend, revoke, or levy a civil fine under Section 1244 or any combination thereof, for "Having been convicted of a felony."
7. Respondent was convicted of one count of felony identity theft.
8. As a licensee, Respondent knew or had reason to know that Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), allows the Director to place on probation, suspend, revoke, or levy a civil fine under Section 1244 or any combination thereof, for "Using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere."
9. Three instances of the submission of credit card applications in another's name demonstrates practices evidencing dishonesty and fraud.
10. As a licensee, Respondent knew or had reason to know that Section 1247(2) of the Code, MCL 500.1247(2), states that "Within 30 days after the initial pretrial hearing date, an insurance producer shall report to the commissioner any criminal prosecution of the insurance producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents."
11. Respondent failed to report to the Director his criminal prosecution or conviction.

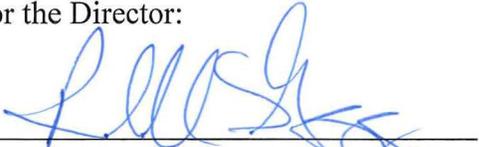
12. DIFS staff has made reasonable efforts to serve Respondent and has complied with MCL 500.1238.
13. Respondent has received notice and has been given an opportunity to respond and appear and has not responded or appeared.
14. Respondent is in default and the Petitioner is entitled to have all allegations accepted as true.
15. Based upon the actions listed above, Respondent has committed acts that provide justification for the Director to order the payment of a civil fine, refund of any overcharges, restitution made to cover losses, damages or other harm attributed to Respondent's violations of the Code, and/or licensing sanctions under 1244(1) of the Code, MCL 500.1244(1).

III. ORDER

Based on the Respondent's conduct and the applicable law cited above, it is ordered that:

1. Respondent shall cease and desist from violating the Code.
2. Respondent shall immediately cease and desist from engaging in the business of insurance.
3. All insurance licenses of Ryan David Wilson are **REVOKED**.

Annette E. Flood, Director
For the Director:



Randall S. Gregg, Special Deputy Director