

**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. 14-12149
Agency No. 15-019-L**

Petitioner,

v

Tavonnah Akia Williams
System ID No. 0653170

Respondent.

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Issued and entered
on April 29th, 2015
by **Randall S. Gregg**
Deputy Director

FINAL DECISION

I. Background

Tavonnah Akia Williams (Respondent) is a licensed nonresident insurance producer. The Department of Insurance and Financial Services (DIFS) received information that Respondent has provided justification for sanctions, pursuant to Section 1239(1)(b) of the Michigan Insurance Code (Code), MCL 500.1239(1)(b), by failing to respond to inquiries from DIFS Staff as required by MCL 500.249 and by failing to notify DIFS of her 2014 Washington, California, and Virginia administrative actions as required by MCL 500.1247(1). Additionally, Respondent has provided justification for sanctions pursuant to Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), by failing to comply with the terms of a prior Settlement Agreement. After investigation and verification of the information, on February 17, 2015, DIFS issued a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent had provided justification for revocation of licensure and other sanctions pursuant to Sections 1239(1) and 1244(1)(a-d) of the Code, MCL 500.1239(1) and 500.1244(1)(a-d). Respondent failed to reply to the NOSC.

On March 19, 2015, DIFS issued an Administrative Complaint and Order for Hearing which was served upon Respondent at the address she is required to maintain with DIFS. The Order for Hearing required Respondent to take one of the following actions within 21 days: (1) agree to a resolution of the case, (2) file a response to the allegations with a statement that

Respondent planned to attend the hearing, or (3) request an adjournment. Respondent failed to take any of these actions.

On April 17, 2015, 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. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of the Department of Insurance and Financial Services (Director).
2. Respondent is a licensed nonresident insurance producer with an accident and health qualification.
3. On July 20, 2011, Respondent was admitted to the Pennsylvania Accelerated Rehabilitative Disposition (ARD) program used to address welfare and food stamp payment issues.
4. According to Rule 314, 234 Pa. Code Rule 314, "When a defendant is accepted into the program of accelerated rehabilitative disposition before the filing of an information, the judge shall order that no information shall be filed with the court on the charges contained in the transcript during the term of the program."
5. On August 18, 2013, Respondent applied for a Michigan nonresident insurance producer license. Respondent answered "no" to Question #1 on the Michigan Individual License application in response to the question asking "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?"
6. On September 4, 2013, DIFS Staff requested additional information from Respondent regarding her "no" answer. Respondent subsequently responded by providing an explanation of her answer and information confirming her ARD program status.
7. After a careful review of the information that Respondent had provided, DIFS Staff decided to allow the nonresident insurance producer license to be issued provided that Respondent agreed to comply with the following terms:
 - a. Respondent must notify DIFS immediately of her involvement in any administrative action or criminal activity;
 - b. Respondent must notify DIFS immediately of any change in her ARD status;

- c. Respondent must notify DIFS of the insurance agency that she is working with currently and any subsequent employers in the insurance industry;
 - d. Respondent must immediately respond to all update requests from DIFS Staff for the status of her payment of restitution;
 - e. Should Respondent's ARD status be revoked and a criminal conviction entered in the case, her insurance license will be immediately revoked; and
 - f. Terms "b" through "e" shall remain in force until Respondent has provided DIFS Staff with documented evidence that she has successfully completed the terms of her ARD program.
8. On March 31, 2014, Respondent signed the Settlement Agreement and her Michigan nonresident insurance producer license was subsequently issued.
 9. On May 6, 2014, DIFS Staff contacted Respondent's employer of record, Catalyst 360, to obtain her current contact information. Respondent's employer informed DIFS Staff that Respondent no longer worked there.
 10. On May 6, 2014, June 10, 2014, and August 4, 2014, DIFS Staff emailed an update request to Respondent at the email she previously provided to DIFS to determine the status of her court ordered payment of restitution. Respondent did not respond.
 11. On July 11, 2014, DIFS Staff received a notification from the National Insurance Producer Registry stating that on July 9, 2014, Respondent's California nonresident insurance producer license was revoked due to her criminal record/history. Respondent also had administrative action taken against her license in the state of Washington on January 29, 2014, and the state of Virginia on July 23, 2014. Both licenses were revoked due to her criminal record/history.
 12. Respondent failed to notify DIFS of any of the aforementioned administrative actions as required by law and the terms of the Settlement Agreement.
 13. On October 6, 2014, DIFS Staff telephoned Respondent at the phone number she provided requesting that she respond as soon as possible. A gentleman answered the phone and indicated that she was not available, but he would provide her with the message. Respondent did not respond.
 14. As a licensee, Respondent knew or had reason to know that Section 249(a) of the Code, MCL 500.249(a), states that:

For the purposes of ascertaining compliance with the provisions of the insurance laws of the state or of ascertaining the business condition and practices of an insurer or proposed insurer, the commissioner, as often as he deems advisable, may initiate

proceedings to examine the accounts, records, documents and transactions pertaining to:

(a) Any insurance agent, surplus line agent, general agent, adjuster, public adjuster or counselor.

15. Respondent violated Section 249(a) by failing to respond to DIFS' repeated requests for information.
16. As a licensee, Respondent knew or had reason to know that Section 1247(1) of the Code, MCL 500.1247(1), requires a licensee to report and provide DIFS with copies of adverse administrative actions as follows:
 - (1) An insurance producer shall report to the commissioner any administrative action taken against the insurance producer in another jurisdiction or by another governmental agency in this state within 30 days after the final disposition of the matter. This report shall include a copy of the order, consent to order, or other relevant legal documents.
17. Respondent violated Section 1247(1) of the Code by failing to notify DIFS Staff of her 2014 Washington, California, and Virginia administrative actions.
18. As a licensee, Respondent knew or had reason to know that Sections 1239(1)(b) and (h) of the Code, MCL 500.1239(1)(b) and (h), state that:

- (1) In addition to any other powers under this act, the commissioner may place on probation, suspend, or revoke an insurance producer's license or may levy a civil fine under section 1244 or any combination of actions, and the commissioner shall refuse to issue a license under section 1205 or 1206a, for any 1 or more of the following causes:

- (b) Violating any insurance laws or violating any regulation, subpoena, or order of the commissioner or of another state's insurance commissioner.

- (h) Using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

19. Respondent has provided justification for sanctions, pursuant to Section 1239(1)(b) of the Code, MCL 500.1239(1)(b), by failing to respond to DIFS' repeated inquiries pursuant to Section 249(a) of the Code, MCL 500.249(a), and by failing to notify DIFS Staff of her 2014 Washington, California, and Virginia administrative actions pursuant to Section 1247(1) of the Code, MCL 500.1247(1).
20. Respondent has provided justification for sanctions, pursuant to Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), by demonstrating incompetence, untrustworthiness, and financial irresponsibility in the conduct of business by failing to comply with the terms of the Settlement Agreement.
21. Based upon the actions listed above, Respondent has committed acts that provide justification for the Director to order revocation of licensure.
22. On February 17, 2015, a NOSC was mailed by first class mail to Respondent at the following addresses on file:

Tavonnah Williams



No response was received.

The Hartford/Catalyst 360
c/o Tavonnah Williams
4 Walnut Grove Dr.
Horsham, PA 19044-2201

The mail was returned marked, "No Longer with Company."

23. DIFS Staff have made reasonable efforts to serve Respondent and have complied with MCL 500.1238(2).
24. Respondent has received notice and has been given an opportunity to respond and appear and has not responded or appeared.
25. Respondent is in default and the Petitioner is entitled to have all allegations accepted as true.

III. Order

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

1. Respondent cease and desist from violating the Code.
2. Respondent immediately cease and desist from engaging in the business of insurance.

3. Pursuant to MCL 500.249, MCL 500.1247(1), MCL 500.1239(1)(b) and (h), and MCL 500.1244(1)(d), Respondent's resident insurance producer license (System ID No. 0653170) is **REVOKED**.

Annette E. Flood, Director
For the Director:



Randall S. Gregg, Deputy Director