

**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. 13-11620

Agency No. 13-011-L

Petitioner,

v

Zachery Glynn

System ID No. 0475871

Respondent.

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**Issued and entered
on July 2, 2013
by Randall S. Gregg
Special Deputy Director**

FINAL DECISION AND ORDER

I. Background

Zachery Glynn (Sys. ID No. 0475871) (hereinafter Respondent) is a licensed resident insurance producer. The Department of Insurance and Financial Services (DIFS) received information that Respondent failed to remit premiums to the insurer. After investigation and verification of the information, on October 31, 2012, DIFS issued Respondent a Notice of Opportunity to Show Compliance alleging that Respondent had provided justification for revocation of licensure and other sanctions pursuant to Sections 1207(1), 1239(1) and 1244(1) of the Michigan Insurance Code (Code), MCL 500.1207(1), MCL 500.1239(1) and 500.1244(1)(a-c).

On May 2, 2013, DIFS issued an Administrative Complaint and Order for Hearing which was served on Respondent. 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 June 17, 2013, 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. At all relevant times, Respondent was a licensed resident insurance producer with qualifications to transact business in the lines of accident, health and life insurance.
2. Respondent was an appointed agent of Monumental Life Insurance Company (Monumental). On or about September 1, 2011, Respondent left Monumental's employment.
3. Per company policy, Monumental conducted a final audit that revealed shortages. Monumental identified six separate instances of account shortages totaling \$309.87. Monumental also identified more than 30 separate instances of missing account deposits totaling \$1,313.46. Monumental indemnified their insureds. Respondent owes Monumental a total of \$1,623.33.
4. On October 31, 2013, a Notice of Opportunity to Show Compliance was mailed by first class mail to Respondent at the following address of record: Zachery Glynn, 3326 Dell Avenue, Burton, MI 48529.
5. On May 2, 2013, true copies of an Administrative Complaint, Order for Hearing and Notice of Hearing were mailed by first class mail to Respondent at the following address given by Respondent: Zachery Glynn, [REDACTED]
[REDACTED]
6. In paragraph 3 of the Order for Hearing, the Respondent was ordered to do one of the following within 21 days of the date of the Order: 1) agree to a resolution with the opposing party, 2) file a response to the allegations in the Administrative Complaint, or 3) file a request for an adjournment. Paragraph 5 states that failure to make the required filing shall constitute the default of Respondent in this contested case.
7. Respondent failed to take any of the actions required by paragraph 3 of the Order.
8. As a licensed producer, the Respondent knew or should have known that the Code provides the Director with the authority to revoke or suspend an insurance producer's license for using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere. MCL 500.1239(1)(h).
9. By failing to remit premiums, Respondent demonstrated untrustworthiness and financial irresponsibility in the conduct of business.
10. DIFS staff has made reasonable efforts to serve Respondent and has complied with MCL 500.1238.

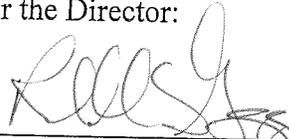
11. Respondent has received notice and has been given an opportunity to respond and appear and has not responded nor appeared.
12. Respondent is in default and the Petitioner is entitled to have all allegations accepted as true.

III. Order

Based upon the Findings of Fact and Conclusions of Law cited above, it is ORDERED that:

1. Respondent CEASE AND DESIST from further violations of the Code.
2. Respondent CEASE AND DESIST from engaging in the business of insurance.
3. Respondent's insurance producer license (System ID No. 0475871) is **REVOKED**.

R. Kevin Clinton, Director
For the Director:



Randall S. Gregg, Special Deputy Director