

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
OFFICE OF FINANCIAL AND INSURANCE REGULATION
Before the Commissioner of Financial and Insurance Regulation

In the matter of:

Office of Financial and Insurance Regulation,
Petitioner

v

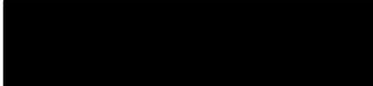
William Gaetz,
Respondent

Enforcement Case No. 11-11236

For the Petitioner:

Elizabeth Bolden
Office of Financial and Insurance Regulation
P.O. Box 30220
Lansing, MI 48909-7720

For the Respondent:

William Gaetz


Issued and entered
this 22nd day of August 2011
by R. Kevin Clinton
Commissioner

FINAL DECISION

I. BACKGROUND

Respondent William Gaetz is a licensed resident insurance producer authorized to transact the business of insurance in Michigan. This matter concerns allegations that Respondent failed to respond to inquiries made by the Office of Financial and Insurance Regulation (OFIR) as required by section 249(a) of the Michigan Insurance Code, MCL 500.249(a).

On May 11, 2011, Chief Deputy Commissioner Stephen Hilker issued an Order Referring Complaint for Hearing and Order to Respond in this case. The Order, which was mailed to Petitioner on May 11 and June 21, 2011, set forth detailed allegations concerning the matter described above. The Order required Respondent to take one of the following actions within 21 days: agree to a resolution of the case, file an answer to the allegations stated in the Order, file a statement that Respondent plans to attend the hearing or request an adjournment. Respondent failed to take any of these actions.

On July 19, 2011, Petitioner filed a Motion for Final Decision. Given Respondent's failure to take one of the required actions, Petitioner's motion is granted.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. At all times pertinent to this case, Respondent was a licensed resident Michigan insurance producer.
2. As a licensed insurance producer, Respondent knew or should have known that section 249(a) of the Michigan Insurance Code provides:

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.
3. Respondent failed to answer a written inquiry from OFIR in June 2010 sent in response to a consumer complaint OFIR had received concerning Respondent's business practices. By failing to respond to a written inquiry from OFIR, Respondent violated section 249(a) of the Insurance Code.

III. ORDER

Based on the conduct described above, and in accordance with section 150(1)(b) of the Michigan Insurance Code, the insurance producer license of Respondent William Gaetz is revoked.



R. Kevin Clinton
Commissioner