

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

In re:

Robert Warren

National Producer No. 2294482
Maine License No. PRR52999
Docket No. INS-14-245

**CONSENT AGREEMENT
AND ORDER**

Robert Warren, a licensed Maine resident insurance producer, the Maine Superintendent of Insurance (“the Superintendent”), and the Office of the Maine Attorney General (“Attorney General”) hereby enter into this Consent Agreement pursuant to 10 M.R.S. § 8003(5)(B) to resolve, without an adjudicatory proceeding, a violation of the Insurance Code for which the Superintendent may impose discipline pursuant to 24-A M.R.S. §§ 1417 and 1420-K.

PARTIES

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine’s insurance laws and regulations, and the Bureau of Insurance (“Bureau”) is the administrative agency with such jurisdiction. The Superintendent has jurisdiction over this matter pursuant to 24-A M.R.S. §§ 12-A and 211.
2. Robert Warren is a Maine resident and has been licensed in Maine as a resident insurance producer with property and casualty authority since January 7, 1998, and life and health authority since April 16, 2003. His Maine producer license number is PRR52999. His National Producer Number (“NPN”) is 2294482.

STATUTORY AUTHORITY

3. Under 24-A M.R.S. §§ 12-A and 1420-K, the Superintendent may issue a warning, censure, or reprimand to a licensee, may suspend, revoke or refuse to renew the license of a licensee, may impose conditions of probation on the licensee, may levy a civil penalty, or may take any combination of such actions, for violating any insurance laws, or violating any rule, regulation, subpoena, or order of the Superintendent. Pursuant to 10 M.R.S. § 8003(5)(B), the Superintendent may resolve a complaint by entering into a consent agreement with a licensee and with the agreement of the Attorney General.

FACTS

4. On March 22, 1991, Mr. Warren pled no contest to misdemeanors under the laws of the State of Connecticut. Those misdemeanors were Larceny in the 4th degree and False Statement in the 2nd degree in Hartford Superior Court in the State of Connecticut. With respect to the Larceny conviction, he was fined \$1,000 and given a one year suspended sentence and two years' probation. With respect to the False Statement conviction, Mr. Warren was given a one year suspended sentence and two years' probation.
5. On or about January 7, 1998, Mr. Warren's application for a Maine resident producer license with property and casualty authority was received by the Bureau. Mr. Warren answered "No" to the following background question on the application form which he filed: "Have you ever been convicted of, or pled nolo contendere (no contest) to any misdemeanor or felony, or do you currently have pending against you any misdemeanor or felony charges?"
6. The application included Mr. Warren's "Certification and Attestation" with the statement, "I hereby state the above answers are complete and true."
7. The Bureau approved Mr. Warren's application and issued the producer license with property and casualty authority.
8. On or about April 16, 2003, Mr. Warren's application for life and health authority was received by the Bureau. Mr. Warren answered "No" to the following background question on the application form which he filed: "Have you ever been convicted of, or pled nolo contendere (no contest) to any misdemeanor or felony, or do you currently have pending against you any misdemeanor or felony charges?"
9. The application included Mr. Warren's "Certification and Attestation" with the statement, "I hereby state the above answers are complete and true."
10. The Bureau approved Mr. Warren's application for life and health authority.
11. Mr. Warren states that he forgot to report the convictions on his applications. He did not become aware of them until November, 2008, when an insurance company did a background check and reminded Mr. Warren of their existence.
12. Mr. Warren disclosed his incorrect answers after he saw the insurance company background check.
13. The Bureau received a letter from Mr. Warren's attorney dated September 30, 2014, in which the two convictions were disclosed in writing.
14. Mr. Warren has had no criminal actions brought against him since that time. Mr. Warren pleaded nolo contendere to the Connecticut charges.

CONCLUSIONS OF LAW

15. The application forms' disclosure questions specifically ask whether the applicant has ever been convicted of a misdemeanor.

16. By failing to disclose the existence of his misdemeanor convictions when he applied for licensure in both 1998 and 2003, and stating that the information was true and complete, Mr. Warren obtained his license based in part upon incorrect, misleading, incomplete or materially untrue information in his Maine applications for resident producer licensing.

17. Title 24-A M.R.S. § 1420-K(1)(A) provides that the Superintendent may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with section 12-A, or take any combination of such actions, for providing incorrect, misleading, incomplete or materially untrue information in the license application.

COVENANTS

18. Mr. Warren admits to the Facts as stated above and admits that these Facts constitute a basis for imposing discipline upon him due to his failure to report his misdemeanor convictions at the time he applied for (i) his Maine resident producer license with property and casualty authority in 1998; and (ii) his Maine resident producer license with life and health authority in 2003.

19. Mr. Warren agrees to the imposition of a civil penalty in the amount of Five Hundred Dollars (\$500.00) which Mr. Warren will remit to the Maine Bureau of Insurance at the time of returning this signed agreement. Payment shall be by check or money order made out to "Treasurer, State of Maine."

20. Mr. Warren will promptly report any matters to the Bureau of Insurance during all times that he is licensed by the Bureau, to the extent such reporting is required under the Maine Insurance Code, and will comply in all other respects with the provisions of the Maine Insurance Code, as applicable.

21. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.

22. In consideration of Mr. Warren's execution of and compliance with the terms of this Consent Agreement, the Superintendent and Attorney General agree to forgo pursuing against Mr. Warren any further disciplinary measures or other civil or administrative sanctions available under the Maine Insurance Code concerning the specific conduct described in this Consent Agreement, other than those agreed to herein. However, should Mr. Warren violate any provision of this Consent Agreement, he may be subject to any available remedy for the violation. Mr. Warren further acknowledges and agrees that, upon execution of this Consent Agreement, each of the Covenants herein shall constitute an order of the Superintendent.

23. This Consent Agreement is enforceable by an action in Maine Superior Court.
24. This Consent Agreement is not subject to appeal. Mr. Warren waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.
25. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto.
26. This Consent Agreement is a public record subject to the provisions of the Maine Freedom of Access Law, 1 M.R.S. §§ 401 through 410, will be available for public inspection and copying as provided for by 1 M.R.S. § 408, and will be reported to the Regulatory Information Retrieval System database at the National Association of Insurance Commissioners.
27. Mr. Warren agrees that he has read this Consent Agreement, that he understands this Consent Agreement, that he has reviewed the statutory provisions set forth herein, that he understands his right to consult with counsel before signing this Consent Agreement, and that he enters into this Consent Agreement voluntarily and without coercion of any kind from any person.

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ROBERT WARREN

Dated: May 22, 2015

By: 
Robert Warren

**THE MAINE OFFICE OF THE ATTORNEY
GENERAL**

Dated: May 27, 2015

By: 
Jonathan R. Bolton
Assistant Attorney General

**THE MAINE SUPERINTENDENT OF
INSURANCE**

Dated: May 28, 2015

By: 
Eric A. Cioppa
Superintendent of Insurance