

Glenda R. Williams
National Producer #8948146

STATE OF MAINE
BUREAU OF INSURANCE

Docket No. INS-07-205

CONSENT AGREEMENT

This document is a Consent Agreement authorized by Title 10 M.R.S.A. § 8003(5), entered into among Glenda R. Williams, a resident of Missouri; the Maine Superintendent and Bureau of Insurance; and the Maine Department of the Attorney General. Its purpose is to resolve, in lieu of an adjudicatory proceeding, issues implicating Title 24-A M.R.S.A. §1417(1) and §1420-K(1)(A).

STATEMENT OF FACTS

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine's insurance laws and regulations, and the Bureau of Insurance is the administrative agency with such jurisdiction.
2. Glenda R. Williams has been licensed in Maine as a nonresident insurance producer since December 2, 2006. Ms. Williams's license was originally applied for and issued under the name Glenda R. Harrell. She filed a name change to Williams in April, 2007.
3. When Ms. Williams applied for a Maine Nonresident Producer License, she answered "No" to the background question on the application form electronically filed in connection with this application regarding whether she had ever been convicted of, or was currently charged with, any crime.
4. The application included Ms. Williams's "Certification and Attestation" under the statement:

"I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties."
5. Upon review of the application, and in reliance upon the representations made in it, staff of the Maine Bureau of Insurance routinely approved Ms. Williams's application and issued the producer license.
6. Ms. Williams later notified the Bureau of a 1992 criminal conviction, by letter dated February 28, 2007 which stated in its entirety:

"To Whom It May Concern:

I answered the background question #1 as NO in error. I misunderstood and believed that after 10 years, the conviction was in 1992, I did not need to acknowledge this conviction. I am sorry for any problems this may cause. I did not try to conceal the conviction.

Thank you for your consideration.”

7. By letter dated April 13, 2007, the Supervisor of Licensing of the Maine Bureau of Insurance requested information about the nature of the conviction and related documentation, in order to assist in making a determination about eligibility for maintaining the Maine nonresident producer license which had been issued pursuant to the original application which had failed to disclose the matter.

8. Ms. Williams’s response, received April 27, 2007, contained an explanation of the factual circumstances concerning the conviction, and included documentation indicating that the matter concerned a Missouri felony conviction for the unlawful use of weapons, § 571.030 Revised Statutes of Missouri.

CONCLUSIONS OF LAW

9. The application form’s disclosure questions specifically require disclosure of criminal matters. Ms. Williams obtained her license based in part upon incorrect, misleading, incomplete or materially untrue information which she provided in her Maine application for nonresident producer licensing, by failing to disclose the above Missouri felony conviction when she applied, as certified by her signature that the information was true and complete. Although she subsequently brought the discrepancy to the Bureau’s attention and provided certain mitigating information regarding the conviction itself, she has not provided an adequate legal explanation for her failure to provide accurate information at the time of the application and issuance of her license.

10. The provision of incorrect, misleading, incomplete or materially untrue information in a license application constitutes grounds for denial of the license application, revocation of the license, or other appropriate action, including the imposition of a civil penalty, under 24-A M.R.S.A. §1420-K(1)(A).

COVENANTS

11. Glenda R. Williams, the Maine Bureau of Insurance, and the Maine Department of the Attorney General agree to the following.

12. This Consent Agreement is entered into in accordance with 10 M.R.S.A. § 8003(5)(B) and is not subject to review or appeal. This Consent Agreement is enforceable by an action in the Superior Court.

13. At the time of executing this Consent Agreement, Ms. Williams will remit to the Maine Bureau of Insurance a civil penalty in the amount of \$250.00, payable to the Treasurer of the State of Maine.

14. Ms. Williams will promptly report any matters to the Maine Bureau of Insurance during all times as she is licensed through 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.

15. In consideration of the execution of this Consent Agreement, the State of Maine Bureau of Insurance will not pursue further action against Ms. Williams's Nonresident Producer License based upon the facts recited in this Consent Agreement.

16. Ms. Williams understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 MRSA § 402, and will be available for public inspection and copying as provided for by 1 MRSA § 408, and will be reported to the NAIC "RIRS" database.

17. In consideration of the applicant's execution of and compliance with the terms of this Consent Agreement, the Superintendent of Insurance, Bureau of Insurance, and Department of the Attorney General agree to forgo pursuing further disciplinary measures or other civil or administrative sanction for the actions described in this Consent Agreement, other than those agreed to herein. However, should Ms. Williams violate this Consent Agreement, she may be subject to any available legal remedy for the violation, including without limitation the suspension or revocation of all licenses issued under the Maine Insurance Code.

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

Glenda R. Williams

Dated: _____, _____

Glenda R. Williams

State of Missouri, _____, ss

Subscribed and Sworn to before me
this _____ day of _____, 2007.

Notary Public

(printed name)

THE MAINE BUREAU OF INSURANCE

Dated: _____, _____

By Eric A. Cioppa, Acting Superintendent

FOR THE DEPARTMENT OF THE ATTORNEY GENERAL

Dated: _____, _____

Assistant Attorney General

(printed name)