

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

In re: Tiwana Yuille

National Producer No. 17214909
Docket No. INS-19-223

**LICENSE DENIAL
NOTICE, ORDER,
and
OPPORTUNITY FOR
HEARING**

NOTICE TO TIWANNA YUILLE:

Effective as of **December 5, 2019**, your Maine nonresident adjuster application will be **DENIED** without further formal proceedings unless you request a hearing as specified below. The reasons for your license denial are as follows:

1. On or around July 14, 1988, you pled guilty to petit larceny, 3rd offense, and concealing merchandise, 3rd offense, both felonies, in the Circuit Court of Lynchburg Virginia. You were sentenced to six months in jail on each charge. The sentence was suspended for one year conditioned on your good behavior, compliance with your probation and parole requirements, and the payment of prosecution costs. You were also required to complete 50 hours of community service.
2. On or around July 26, 2019, you applied for a nonresident adjuster license in the State of Maine. You answered "No" to all of the application's background questions, including:
 - a. Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?
 - b. Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration? "Involved" means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation, sanctioned or surrendering a license to resolve an administrative action. "Involved" also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license, or registration. "Involved" also means having a license, or registration application denied or the act of withdrawing an application to avoid a denial.
3. Your failure to disclose your felony conviction on your Maine application represents grounds for the denial of your Maine license pursuant to 24-A M.R.S. § 1417(1) and § 1420-K(1)(A) for providing incorrect, misleading, incomplete or materially untrue information in the license application.
4. In reviewing your application, Bureau staff found that you were the subject of multiple regulatory actions.

- a. On March 17, 2016, the Florida Department of Financial Services granted you a license pursuant to a Consent Order requiring the payment of a \$1,500 administrative penalty. The penalty was based on your failure to disclose your felony conviction on your Florida insurance application. On May 26, 2016, the state of Florida suspended your license for failing to pay the administrative penalty.
- b. On July 25, 2016, the state of Louisiana fined you \$500 for failing to disclose your criminal conviction and for not reporting another state's action as required by Louisiana law.
- c. On May 16, 2017, the state of Delaware revoked your adjuster license and fined you \$500 for not reporting the Florida actions as required by Delaware law.
- d. On June 22, 2017, the state of North Carolina revoked your adjuster license for providing incorrect, misleading, incomplete or materially untrue information in the license application. Specifically, you failed to disclose your felony conviction on your 2014 application for licensure as well as on your 2015 and 2016 renewal applications.

5. Your failure to disclose the administrative actions identified in Paragraph 4 represents grounds for the denial of your Maine license pursuant to 24-A M.R.S. § 1417(1) and § 1420-K(1)(A) for providing incorrect, misleading, incomplete or materially untrue information in the license application.

6. The actions identified in Paragraphs 4(a), 4(c), and 4(d) represent grounds for the denial of your Maine license pursuant to 24-A M.R.S. § 1417(1) and § 1420-K(1)(I) for having a license suspended or revoked in any other state.

Therefore, based upon the above grounds, your application for a nonresident adjuster license is denied as of **December 5, 2019**, pursuant to 24-A M.R.S. §§ 1417(1) and 1420-K, subject to your right to request a hearing. Under the Maine Insurance Code, specifically 24-A M.R.S. § 1417(1) and § 1420-K, you have the right to a hearing before the Superintendent or his designee to appeal this action. If you request a hearing, you will have the right to present evidence and arguments in your defense.

If you request a hearing, you will receive further communication regarding scheduling. The matters to be determined through the hearing process are whether you committed one or more of the violations listed above, and if so, whether grounds exist to deny your Maine license application.

To request a hearing, you must notify the Bureau of Insurance in writing no later than **December 5, 2019**. If you do not file a written request for a hearing within 30 days from the time you knew or reasonably should have known of this act through this Notice and Order, you will lose your right to request a hearing on this matter. Pursuant to 24-A M.R.S. § 213(3), this Notice from the Superintendent to you shall be deemed to have been given when deposited in a mail depository of the United States Post Office.

Any request for a hearing, as well as all other communications regarding this Notice, Order, and Opportunity for Hearing must be addressed to Bureau Licensing Attorney Lindsay J. Laxon, Bureau of Insurance, #34 State House Station, Augusta, Maine 04333-0034 (for US Postal Service deliveries) or 76 Northern Avenue, Gardiner, Maine 04345 (for private carrier deliveries, such as FedEx or UPS). You may also reach Ms. Laxon by e-mail at Lindsay.J.Laxon@maine.gov or by telephone at (207) 624-8429.

November 1, 2019



Eric A. Cioppa
Superintendent of Insurance