

STATE OF MAINE
BUREAU OF INSURANCE

IN RE: Jaron Hamlett

National Producer No. 10324596

CONSENT AGREEMENT AND ORDER

Docket No. INS-21-200

Jaron Hamlett, a licensed nonresident insurance producer, the Maine Superintendent of Insurance (Superintendent), and the Office of the Maine Attorney General (Attorney General) hereby enter into this Consent Agreement and Order (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.

STATUTORY AUTHORITY

1. Under 24-A M.R.S. §§ 12-A and 1420-K and 10 M.R.S. § 8003(5)(A-1) 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.
2. Title 24-A M.R.S. § 1420-K(1)(A) provides that the Superintendent may take these disciplinary actions for providing incorrect, misleading, incomplete or materially untrue information in the license application

FACTS

3. 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. The Superintendent has jurisdiction over this matter pursuant to the powers set forth in the Insurance Code generally, as well as the specific provisions of 24-A M.R.S. §§ 12-A and 211 and 10 M.R.S. § 8003.
4. Jaron Hamlett is a current resident of North Carolina and his National Producer Number is 10324596.
5. Mr. Hamlett was first licensed as an insurance producer by the state of California on February 19, 2008, when he was a California resident.
6. On or around November 25, 2014, Mr. Hamlett pled nolo contendere and was convicted of one count of misdemeanor theft in Los Angeles County Superior Court, case 4GN00902. He was placed on summary probation for 12 months subject to various conditions. The case involved Mr. Hamlett taking merchandise from a Macy's store.

7. On or around December 1, 2016, the Court set aside Mr. Hamlett's conviction, entered a plea of not guilty, and dismissed the case.

8. By Default Decision and Order dated October 4, 2017, the California Department of Insurance revoked Mr. Hamlett's insurance producer license. This action was due to Mr. Hamlett's conviction involving dishonesty and his failure to timely report the criminal matter to the Department. Mr. Hamlett requested reconsideration in the matter on November 9, 2017.

9. In response to Mr. Hamlett's reconsideration request, the California Department of Insurance vacated the October 4, 2017 Default Decision and Order by order dated November 14, 2017.

10. By order dated July 27, 2018, the California Department of Insurance revoked Mr. Hamlett's insurance producer license and granted him a restricted license for a three-year period. This action was due to Mr. Hamlett's conviction involving dishonesty and his failure to timely report the criminal matter to the Department.

11. On June 23, 2020, Mr. Hamlett applied for a Maine non-resident producer license. His application was completed by an authorized submitter and included a declaration that "the applicant provided all the information submitted on this application." Mr. Hamlett answered "Yes" to the following background questions on the electronic application form:

- a. "Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?"
- 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?" The application explains that "[i]nvolved" 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."

12. Mr. Hamlett's application included a copy of the relevant criminal records and a copy of the 2017 California administrative action; however, a review of the national database disclosed the 2018 California action, described in Paragraph 10, which was not included with his application. This application was administratively abandoned on October 30, 2020, when, after repeated requests, the applicant failed to provide documents relating to the California action.

13. On January 15, 2021, the Bureau received a new application for Mr. Hamlett seeking a Maine non-resident producer license. His application was completed by an authorized submitter and included a declaration that "the applicant provided all the information submitted on this application." Mr. Hamlett answered "No" to the background questions regarding criminal history, as described in Paragraph 11(a), and administrative actions as described in Paragraph 11(b); however, the application was deferred due to the 2018 California action in the national database. Bureau staff requested a copy of the 2018 California action and an explanation for the failure to accurately answer the application's background questions by email on January 21, 2021 and again on Feb 12, 2021. A written follow-up request was sent to Mr. Hamlett's home address on March 8, 2021 advising that the application was not complete, and the pending application would be abandoned on April 8, 2021 if a response was not provided.

14. While the application described in Paragraph 13 was still pending, the Bureau received an additional application for Mr. Hamlett. His application was completed by an authorized submitter and included a declaration that “the applicant provided all the information submitted on this application.” Mr. Hamlett’s third application was received on March 9, 2021. Mr. Hamlett answered “No” to the background question regarding criminal history, as described in Paragraph 11(a), and “Yes” to the background question regarding administrative actions as described in Paragraph 11(b). This application did not include a copy of the 2018 California order.

15. On March 15, 2021, Bureau staff sent Mr. Hamlett an email describing the applications received by the Bureau and advising that a failure to respond to our inquiries would result in the denial of his license applications. To proceed with his application, the Bureau required a copy of the previously requested 2018 California order and an explanation for Mr. Hamlett’s failure to accurately answer the background questions on his previous applications. Mr. Hamlett provided the necessary document on March 17, 2021.

CONCLUSIONS OF LAW

16. Mr. Hamlett failed to accurately answer the background questions on two license applications, as described in Paragraphs 13 and 14. This represents two violations of 24-A M.R.S. § 1420-K(1)(A) for providing incorrect, misleading, incomplete or materially untrue information in the license application.

COVENANTS

17. Mr. Hamlett admits to the Facts as stated above and admits that these Facts constitute a basis for imposing discipline upon him.

18. Mr. Hamlett agrees to the denial of his January 15, 2021 license application. His March 9, 2021, application will be approved upon the payment of a civil penalty in the amount of Two Hundred Dollars (\$200.00). Mr. Hamlett will remit payment by credit card, the authorization form for which will be submitted with the signed agreement. Mr. Hamlett understands and agrees that a failure to complete payment in accordance with this paragraph constitutes a violation of this agreement and an order of the Superintendent.

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

20. This Agreement constitutes an Order of the Superintendent and a violation of its terms is enforceable by the Superintendent.

21. This Agreement is also enforceable by an action in Maine Superior Court.

22. This Agreement is not subject to appeal. Mr. Hamlett waives any further hearings or appeals regarding the matters that are the subject of this Agreement.

23. This Agreement may be modified only by a written agreement executed by all of the parties hereto.

24. This Agreement is a public record subject to the provisions of the Maine Freedom of Access Act and will be reported to the Regulatory Information Retrieval System database at the National Association of Insurance Commissioners.

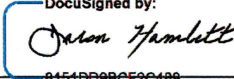
25. Mr. Hamlett agrees that he has read this Agreement, that he understands this Agreement, that he has reviewed the statutory provisions set forth herein, that he understands his right to consult with counsel before signing this Agreement, and that he enters into this Agreement voluntarily and without coercion of any kind from any person.

26. In consideration of Mr. Hamlett's execution of and compliance with the terms of this Agreement, the Superintendent and Attorney General agree to forgo pursuing against Mr. Hamlett any further disciplinary measures or other civil or administrative sanctions arising under the Maine Insurance Code concerning the specific conduct described in this Agreement, other than those agreed to herein. However, should Mr. Hamlett violate any provision of this Agreement, he may be subject to any available remedy for the violation.

[THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.]

JARON HAMLETT


Dated: 5/21/2021 | 5:47 PM CDT

DocuSigned by:

8151DD98CF2C489...

Jaron Hamlett

THE MAINE OFFICE OF THE ATTORNEY GENERAL


Dated: 5/26/21



Lisa A. Wilson
Assistant Attorney General

THE MAINE SUPERINTENDENT OF INSURANCE

Dated: 6/4/21



Eric A. Cioppa
Superintendent of Insurance