



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

1000 Washington Street, Suite 810 • Boston, MA 02118-6200
(617) 521-7794 • Toll-free (877) 563-4467
<http://www.mass.gov/doi>

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

JOHN C. CHAPMAN
UNDERSECRETARY OF CONSUMER AFFAIRS
AND BUSINESS REGULATION

DANIEL R. JUDSON
COMMISSIONER OF INSURANCE

December 3, 2015

Wayne Swanson
Commercial Industrial Building Owners Alliance, Inc.
655 North Central Ave., Suite 2100
Glendale, California 91203

RE: Commercial Industrial Building Owners Alliance, Inc. – SIU Investigation No. 9152

Dear Mr. Swanson:

I represent the Massachusetts Division of Insurance (“Division”) with regard to the above-captioned investigation. Pursuant to an investigation conducted by the Division’s Special Investigations Unit, the Division has cause to believe that you have violated the Massachusetts insurance laws set forth below by the conduct detailed in this settlement letter.

According to Division licensing records, Commercial Industrial Building Owners Alliance, Inc. (“CIBOAI”) was originally licensed as a Business Entity Producer by the Division on November 8, 2011. CIBOAI’s license expired for nonrenewal on or about November 14, 2014 and was not renewed until April 17, 2015. During the unlicensed period CIBOAI wrote and or renewed six policies in Massachusetts, generating \$157,667 in premium and \$19,708.38 in commissions.

The Division alleges that CIBOAI committed at least six violations of M.G.L. c. 175, § 175 by acting as an insurance producer without being licensed. The penalty for each violation is a fine of not less than ten nor more than one hundred dollars. The Division also alleges that each violation of M.G.L. c. 175, § 175 is a violation of M.G.L. c. 175, § 162R(a)(2). The penalty for each violation of M.G.L. c. 175, § 162R(a)(2) is a fine of not more than \$1,000.00 pursuant to M.G.L. c. 176D, § 7 and having the agency’s Massachusetts business entity insurance producer license placed on probation, suspended or revoked.

The Division is authorized to issue an order requiring you to show cause as to why you should not be made to cease and desist from the above alleged conduct. If, after a public hearing, the Commissioner of Insurance finds that you did commit the alleged violations, he may impose a fine up to the amounts listed above and order that your Massachusetts Insurance Producer License be placed on probation, suspended or revoked.

The Division proposes to resolve this matter through a settlement if you agree to waive the right to a public hearing, agree to cease and desist from the above-alleged conduct and **agree to pay a fine of**

\$1,000. If you choose to accept the Division's offer, please have an authorized individual sign this settlement letter where provided below and return it to my attention along with a check made payable to the Commonwealth of Massachusetts, no later than **December 31, 2015**.

The Division considers the acceptance of this settlement to constitute a reportable administrative event which should be included on your next Massachusetts producer license renewal application. You also may be required to report this action in other jurisdictions where you hold an insurance producer license. This Agreement shall be construed under and governed by the laws of the Commonwealth of Massachusetts.

Although this correspondence does not constitute the required statutory notice of a public hearing, if this matter is not resolved by **December 31, 2015**, the Division intends to file its Order to Show Cause and will notify you of the hearing date.

Thanks you for your prompt attention to this matter. Should you have any questions or wish to discuss this matter further, I may be reached at (617) 521-7321 or Matthew.Burke@MassMail.state.ma.us.

Sincerely,

Matthew M. Burke
Counsel to the Commissioner

SIGNED: Wayne Swanson
Commercial Industrial Building Owners Alliance, Inc.

NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____