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

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UNDERSECRETARY

DANIEL R. JUDSON
COMMISSIONER OF INSURANCE

December 3, 2015

Carole A. Marchand
Marchand Insurance Agency, Inc.
131 Main Street
Webster, MA 01570

RE: Marchand Insurance Agency, Inc. - SIU Investigation Case No. 9153

Dear Ms. Marchand:

I represent the Massachusetts Division of Insurance (“Division”) with regard to the above-captioned investigation. The Division has cause to believe that Marchand Insurance Agency, Inc. (“Marchand”) violated the Massachusetts insurance laws as set forth below.

According to Division licensing records, Marchand allowed its Massachusetts business entity insurance producer license to lapse on July 25, 2015 and sold insurance in Massachusetts from that time until a new business entity insurance producer license was processed on August 31, 2015. The Division alleges that Marchand wrote or renewed 37 Massachusetts insurance policies during the unlicensed period, resulting in premiums of \$45802.00 and \$6950.52 in commissions.

The Division alleges that Marchand committed at least 37 violations of M.G.L. c.175, § 175. 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 Marchand to show cause why it should not be made to cease and desist from the above-alleged conduct. If, after a public hearing, the Commissioner of Insurance finds that Marchand did commit the alleged violations, Marchand may be liable for fines up to the amounts listed above and having its Massachusetts business entity insurance producer license placed on probation, suspended or revoked.

The Division proposes to resolve this matter through a settlement if Marchand agrees to waive the right to a public hearing, agrees to cease and desist from the above-alleged conduct, and to pay a fine of **\$1000.00**. If Marchand chooses to accept the Division’s offer, please have an

authorized individual sign this settlement letter where indicated below, and return it to my attention along with a check made payable to the Commonwealth of Massachusetts on or before **December 31, 2015**.

The Division considers the acceptance of this settlement to constitute a reportable administrative event which should be included on Marchand's next Massachusetts license renewal application. This Agreement shall be construed under and governed by the laws of the Commonwealth of Massachusetts.

If this matter is not resolved by **December 31, 2015**, the Division will file its Order to Show Cause and will notify Marchand of the hearing date in accordance with applicable statutory notice requirements and procedures.

Thank you for your prompt attention to this matter. Should you have any questions or wish to discuss this matter further, please contact me at (617) 521-7364.

Sincerely,

Mary Ellen Thompson
Counsel to the Commissioner
Commonwealth of Massachusetts
Division of Insurance
1000 Washington Street, Suite 810
Boston, Massachusetts 02118

Signed: Authorized Representative of:
Marchand Insurance Agency, Inc.

By: Mary Ellen Thompson
Counsel to the Commissioner

Name: _____

Signature: _____

Title: _____

Date: _____

Date: _____