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DANIEL R. JUDSON
COMMISSIONER OF INSURANCE

Division of Insurance, Petitioner
v.
Germone A. Gadsden, Respondent
Docket No. E2015-15

Decision and Order

Procedural History

The Petitioner, the Division of Insurance (“Division”), on November 10, 2015, filed an *Order to Show Cause* (“OTSC”) concerning Germone A. Gadsden (“Mr. Gadsden”). Scott J. Peary, Esq. (“Attorney Peary”), Chief Enforcement Counsel for the Division, mailed the OTSC and a Notice of Action to Mr. Gadsden at a street address in Summerville, South Carolina, that Mr. Gadsden identified as his “current address” (“Mr. Gadsden’s South Carolina current address”). See Exhibit 1 to the OTSC (email communication between Mr. Gadsden and Attorney Peary on October 19, 2015). Attorney Peary also sent an electronic copy of the OTSC and Notice of Action to Mr. Gadsden at the email address that Mr. Gadsden had used in the October communication: germonegadsden@yahoo.com (“Mr. Gadsden’s Yahoo address”).

The OTSC makes 26 claims¹ against Mr. Gadsden under Massachusetts General Laws Chapter (“Chapter”) 175. The claims concern § 162V(a) of Chapter 175 (“§ 162V(a)”) and five subsections of § 162R(a) of Chapter 175 (“§ 162R(a)”).

¹ Although the OTSC lists 27 claims against Mr. Gadsden, the Twelfth Claim, ¶ 43, and the Nineteenth Claim, ¶ 57, of the OTSC are identical: “The Respondent’s violation of the state of Indiana’s insurance laws constitutes a violation of M.G.L. c. 175, § 162R(a)(2).” This *Decision and Order* will treat the OTSC as containing 26 Claims.

The OTSC's First Claim charges a "violation" of § 162R(a)(1) because Mr. Gadsden allegedly provided incorrect, misleading, incomplete or materially untrue information in his Massachusetts insurance producer license application by falsely asserting that he was making monthly South Carolina child support payments.²

The OTSC alleges that Mr. Gadsden is subject to discipline pursuant to § 162R(a)(2) for seven violations of the insurance laws of seven jurisdictions: Indiana (Twelfth Claim and Nineteenth Claim), South Dakota (Thirteenth Claim), Vermont (Fourteenth Claim), Delaware (Fifteenth Claim), Virginia (Sixteenth Claim), Kansas (Seventeenth Claim), and Maine (Eighteenth Claim).

The OTSC alleges that Mr. Gadsden on three occasions obtained or attempted to obtain a license through misrepresentation or fraud, a cause for disciplining him pursuant to § 162R(a)(3). Specifically, Mr. Gadsden is alleged to have misrepresented that he was making monthly child support payments on his Massachusetts insurance producer license application (Second Claim), on his South Dakota insurance producer license application (Twenty-sixth Claim), and on his Vermont insurance producer application (Twenty-seventh Claim).

The OTSC's Third Claim asserts that the determination by the South Dakota Department of Insurance that Mr. Gadsden committed an unfair insurance practice is a cause for disciplining him pursuant to § 162R(a)(7).

The OTSC charges seven causes for disciplining Mr. Gadsden pursuant to § 162R(a)(9). Specifically, the OTSC charges that Mr. Gadsden was denied an insurance producer license by the state of South Dakota (Fourth Claim), and had insurance producer licenses revoked by Vermont (Twentieth Claim), Delaware (Twenty-first Claim), Virginia (Twenty-second Claim), Kansas (Twenty-third Claim), Maine (Twenty-fourth Claim), and Indiana (Twenty-fifth Claim).

² The substance of this claim of a "violation" is that the alleged action by Ms. Gadsden constitutes a cause for disciplining him pursuant to § 162R(a)(1). It is imprecise for an Order to Show Cause to allege that an insurance producer has "violated" § 162R(a)(1) because this provision is the first of 14 "causes" that are listed in § 162R(a) as possible grounds for disciplining licensees. *Division of Insurance v. Adolphus Nolan, Jr.*, Docket No. E2013-08. The OTSC repeatedly uses the word "violation" or "violated" when the import of a claim is that an alleged action by Mr. Gadsden constitutes a cause for disciplining him pursuant to one of the subsections of § 162R(a). This *Decision and Order* when describing the claims brought in the OTSC pursuant to § 162R(a) hereafter will state them in terms of alleged causes for disciplining Mr. Gadsden.

The OTSC alleges that Mr. Gadsden is subject to discipline for seven violations of the reporting requirement set out in § 162V(a). Specifically, the OTSC charges that he failed to report administrative actions in South Dakota (Fifth Claim), Vermont (Sixth Claim), Delaware (Seventh Claim), Virginia (Eighth Claim), Kansas (Ninth Claim), Maine (Tenth Claim), and Indiana (Eleventh Claim).

Mr. Gadsden did not file an Answer to the OTSC. The Division on December 1, 2015, filed *Petitioner's Motion for Entry of Default and Summary Decision* ("Division's Motion").

By *Order and Notice of Hearing* filed on March 29, 2016 ("Hearing Order"), I scheduled a hearing on the Division's Motion to be held on April 28, 2016. The Hearing Order was sent to Mr. Gadsden by both certified and regular U. S. mail, postage paid, to his current addresses as listed on the records of the Division; by both certified mail and regular U. S. mail, postage paid, to Mr. Gadsden's South Carolina current address; and also to Mr. Gadsden's Yahoo address.

Mr. Gadsden did not appear at the hearing on April 28, 2016. The Division asked for an entry of default against Mr. Gadsden.

Finding of Default

Attorney Peary received a green card certified mail receipt signed by Mr. Gadsden for the copy of the OTSC and Notice of Action that he mailed to Mr. Gadsden's South Carolina current address. The green card certified mail receipt was entered into evidence at the hearing on April 28, 2016. Clearly, effective service of the OTSC on Mr. Gadsden was accomplished.

Chapter 175, § 162M(f), requires Massachusetts insurance producers to inform the Commissioner of a change of address within 30 days of the change. The mailing of the Hearing Order to Mr. Gadsden at his current addresses listed on the licensing records of the Division constituted sufficient notice of the hearing on April 28, 2016. *See* Chapter 175, § 174A; Chapter 4, § 7. *See also* 801 CMR 1.01(4)(c) ("Notice of actions and other communications from the adjudicating Agency ... shall be presumed to be received ... three days after deposit in the U.S. mail."),³

³ The envelope containing a copy of the Hearing Order that was sent to Mr. Gadsden by certified mail to his current business address as listed on the records of the Division was signed for on April 1, 2016, as evidenced by the green card certified mail receipt that was returned to the Docket Clerk.

The failure of Mr. Gadsden to answer the OTSC, to respond to the Division's Motion, and to appear at the hearing, warrant finding that Mr. Gadsden is in default. By his default, Mr. Gadsden has waived the right to proceed further with an evidentiary hearing and I may consider the Division's Motion and the merits of the matter based solely upon the Division's Motion and the OTSC and the exhibits attached to it. *See Division of Insurance v. Daly*, Docket No. E93-2 (The Presiding Officer may accept the allegations contained in an OTSC as true if there is no Answer to the OTSC.).

Findings of Fact

On the basis of the record, consisting of the OTSC and the exhibits attached to it and the Division's Motion, I find the following facts:

1. At all times pertinent to this proceeding, the following addresses have been listed on the licensing records of the Division as Mr. Gadsden's current addresses: 6230 Hackberry Creek Trail, Apartment # 228, Charlotte, North Carolina 28269 (home/ mailing), and c/o TIAA-CREF, 8500 Andrew Carnegie Boulevard, Charlotte, North Carolina 28262 (business).
2. On October 19, 2015, the Division sent Mr. Gadsden a revocation letter via e-mail to germonegadsden@yahoo.com.
3. On October 19, 2015, Mr. Gadsden replied to the Division's e-mail, asking that the revocation letter be sent to the following street address, which Mr. Gadsden stated was his "current address:" 10825 Dorchester Road, Apartment 1058, Summerville, South Carolina 29485.
4. On January 17, 2013, Mr. Gadsden submitted an insurance producer license application to the South Dakota Division of Insurance ("January 17 South Dakota application").

The envelope containing a copy of the Hearing Order that was sent to Mr. Gadsden by certified mail to his current home/ mailing address as listed on the records of the Division was returned to the Docket Clerk with the following notice pasted upon it: "RETURN TO SENDER -- ATTEMPTED -- NOT KNOWN -- UNABLE TO FORWARD." The envelope containing a copy of the Hearing Order that was sent to Mr. Gadsden by certified mail to Mr. Gadsden's South Carolina current address was returned to the Docket Clerk with the following notice pasted upon it: "RETURN TO SENDER -- UNCLAIMED -- UNABLE TO FORWARD."

The envelopes containing copies of the Hearing Order that were sent to Mr. Gadsden by regular U. S. mail, postage paid, to his current business address and to his current home/ mailing address as listed on the records of the Division; and to Mr. Gadsden's South Carolina current address have not been returned to the Docket Clerk.

5. Mr. Gadsden stated on his January 17 South Dakota application that he was making payments to meet his South Carolina child support obligations.

6. By letter dated March 14, 2013, the South Dakota Department of Insurance notified Mr. Gadsden that it had determined that Mr. Gadsden was not making his South Carolina child support payments, that he was failing to comply with his child support obligations, and that he had provided incorrect, misleading, incomplete or materially untrue information in his January 17 South Dakota application.

7. Mr. Gadsden was not making his South Carolina child support payments as of January 17, 2013, through March 14, 2013.

8. Mr. Gadsden provided incorrect, misleading, incomplete or materially untrue information in his January 17 South Dakota application.

9. Mr. Gadsden attempted to obtain a South Dakota insurance producer license through misrepresentation or fraud.

10. Mr. Gadsden violated the insurance laws of South Dakota.

11. By letter dated March 14, 2013, the South Dakota Department of Insurance denied Mr. Gadsden's application for a South Dakota insurance producer license ("South Dakota administrative action").

12. Mr. Gadsden had been licensed by the Division as a Massachusetts insurance producer on February 21, 2013.

13. Mr. Gadsden did not report the South Dakota administrative action to the Division.

14. On January 18, 2013, Mr. Gadsden submitted an insurance license application to the State of Vermont Department of Financial Regulation ("January 18 Vermont application").

15. Mr. Gadsden was granted a Vermont insurance producer license.

16. Mr. Gadsden answered affirmatively to the following question in the January 18 Vermont application: "Do you have a child support obligation in arrears?"

17. Mr. Gadsden stated in a letter attached to his January 18 Vermont application that he was disputing some of the child care arrearage, but was making voluntary monthly payments.

18. Mr. Gadsden was not making his South Carolina child support payments as of January 17, 2013 through March 14, 2013. See Findings of Fact ¶¶ 6 and 7, *supra*.

19. Mr. Gadsden provided incorrect, misleading, incomplete or materially untrue information in his January 18 Vermont application.

20. Mr. Gadsden obtained his Vermont insurance producer license through misrepresentation or fraud.

21. Mr. Gadsden violated the insurance laws of Vermont.

22. On March 31, 2014, the State of Vermont revoked Mr. Gadsden's Vermont insurance producer license ("Vermont administrative action").

23. Mr. Gadsden had been licensed by the Division as a Massachusetts insurance producer on February 21, 2013.

24. Mr. Gadsden did not report the Vermont administrative action to the Division.

25. On February 14, 2013, Mr. Gadsden submitted an insurance producer license application to the Massachusetts Division of Insurance ("February 14 Massachusetts application").

26. Mr. Gadsden answered affirmatively to Question 7 of the February 14 Massachusetts application: "Do you have a child support obligation in arrears?"

27. Mr. Gadsden stated in a letter that accompanied his February 14 Massachusetts application that he was disputing some of the child care arrearage, but was making voluntary monthly payments to the "South Carolina Child support administration."

28. Mr. Gadsden was not making his South Carolina child support payments as of January 17, 2013 through March 14, 2013. See Findings of Fact ¶¶ 6 and 7, *supra*.

29. Mr. Gadsden provided incorrect, misleading, incomplete or materially untrue information in his February 14 Massachusetts application.

30. Mr. Gadsden was licensed by the Division as a Massachusetts insurance producer on February 21, 2013.

31. Mr. Gadsden obtained his Massachusetts insurance producer license through misrepresentation or fraud.

32. Mr. Gadsden violated the insurance laws of the State of Delaware, as was determined by a *Final Decision and Order* of the Insurance Department of the State of Delaware dated March 26, 2014.

33. Effective April 25, 2014, the State of Delaware revoked Mr. Gadsden's Delaware insurance producer license ("Delaware administrative action").

34. Mr. Gadsden did not report the Delaware administrative action to the Division.

35. Mr. Gadsden violated the insurance laws of the Commonwealth of Virginia, as was determined by an *Order Revoking License* issued by the Commonwealth of Virginia State Corporation Commission dated October 29, 2014.

36. On October 29, 2014, the Commonwealth of Virginia revoked Mr. Gadsden's Virginia insurance producer license ("Virginia administrative action").

37. Mr. Gadsden did not report the Virginia administrative action to the Division.

38. Mr. Gadsden violated the insurance laws of the State of Kansas, as was determined by a *Summary Order* of the Commissioner of Insurance of the State of Kansas that was effective December 16, 2014.

39. Effective December 16, 2014, the Commissioner of Insurance of the State of Kansas revoked Mr. Gadsden's Kansas insurance producer license ("Kansas administrative action").

40. Mr. Gadsden did not report the Kansas administrative action to the Division.

41. Mr. Gadsden violated the insurance laws of the State of Maine, as was determined by a *License Revocation Notice, Order, and Opportunity for Hearing* issued by the State of Maine Department of Professional and Financial Regulation, Bureau of Insurance, dated December 29, 2014.

42. Effective February 5, 2015, Mr. Gadsden's Maine insurance producer license was revoked ("Maine administrative action").

43. Mr. Gadsden did not report the Maine administrative action to the Division.

44. Mr. Gadsden violated the insurance laws of the State of Indiana, as was determined by an *Administrative Order* of the Indiana Commissioner of Insurance dated March 6, 2015.

45. By an *Administrative Order* of the Indiana Commissioner of Insurance dated March 6, 2015, Mr. Gadsden was notified that his Indiana insurance producer license would not be renewed ("Indiana administrative action").

46. Mr. Gadsden did not report the Indiana administrative action to the Division.

Analysis and Conclusions of Law

1. Claim based on § 162R(a)(1), providing incorrect, misleading, incomplete or materially untrue information in a Massachusetts insurance producer license application

When Mr. Gadsden stated in his January 17, 2013, application for a South Dakota insurance producer license that he was making payments to meet his South Carolina child support obligations, he was not truthful, as the South Dakota Department of Insurance later determined. As of March 14, 2013, Mr. Gadsden continued to be non-compliant with his child support obligations, as the South Dakota Department of Insurance also determined. These determinations by the South Dakota Department of Insurance establish that Mr. Gadsden provided incorrect, misleading, incomplete or materially untrue information when he stated in his February 14, 2013, application for a Massachusetts insurance producer license that he was then making voluntary monthly child support payments (First Claim). He is subject to discipline pursuant to § 162R(a)(1) for this action.

2. Claims based on § 162R(a)(2), violations of insurance laws of other jurisdictions

Mr. Gadsden is subject to discipline pursuant to § 162R(a)(2) for seven violations of the insurance laws of seven jurisdictions: Indiana (Twelfth Claim & Nineteenth Claim), South Dakota (Thirteenth Claim), Vermont (Fourteenth Claim), Delaware (Fifteenth Claim), Virginia (Sixteenth Claim), Kansas (Seventeenth Claim), and Maine (Eighteenth Claim).

3. Claims based on § 162R(a)(3), obtaining or attempting to obtain a license through misrepresentation or fraud

When Mr. Gadsden stated in connection with his January 17, 2013, application for a South Dakota insurance producer license that he was making payments to meet his South Carolina child support obligations, he was not truthful, as the South Dakota Department of Insurance later determined. As of March 14, 2013, Mr. Gadsden continued to be non-compliant with his child support obligations, as the South Dakota Department of Insurance also determined. Although the South Dakota Department of Insurance denied his license application, Mr. Gadsden had attempted to obtain a South Dakota insurance license through misrepresentation or fraud (Twenty-sixth Claim), and is subject to discipline pursuant to § 162R(a)(3) for this cause.

Mr. Gadsden was not truthful when he stated in connection with his January 18, 2013, application for a Vermont insurance producer license that he was then making voluntary monthly child support payments. He thus obtained his Vermont insurance license through misrepresentation or fraud (Twenty-seventh Claim), and is subject to discipline pursuant to § 162R(a)(3) for this cause.

Mr. Gadsden was not truthful when he stated in connection with his February 14, 2013, application for a Massachusetts insurance producer license that he was then making voluntary monthly child support payments. He thus obtained his Massachusetts insurance license through misrepresentation or fraud (Second Claim), and is subject to discipline pursuant to § 162R(a)(3) for this cause.

4. Claim based on § 162R(a)(7), having been found to have committed an insurance unfair trade practice

The OTSC asserts (Third Claim) that the determination by the South Dakota Department of Insurance that Mr. Gadsden committed an unfair insurance practice is a cause for disciplining him pursuant to § 162R(a)(7). Exhibit #4 to the OTSC does not provide support for the allegation that the South Dakota Department of Insurance *made a determination* that Mr. Gadsden had committed an unfair insurance practice.

5. Claim based on § 162R(a)(9), having an insurance producer license denied or revoked in any other state

Mr. Gadsden was denied an insurance producer license by the State of South Dakota (Fourth Claim), was denied a renewal of his Indiana insurance producer license by Indiana (Twenty-fifth Claim), and his insurance producer licenses issued by Vermont (Twentieth Claim), Delaware (Twenty-first Claim), Virginia (Twenty-second Claim), Kansas (Twenty-third Claim), and Maine (Twenty-fourth Claim) were revoked. These constitute seven causes for disciplining Mr. Gadsden pursuant to § 162R(a)(9).

6. Claims based on non-reporting of administrative actions; § 162V(a)

Section 162V(a) requires a Massachusetts insurance producer to report to the Division an administrative action taken against the producer in another jurisdiction within 30 days of the final disposition of the matter. Mr. Gadsden failed to comply with the reporting requirement of § 162V(a) on seven occasions: he failed to report to the Division administrative actions taken by

South Dakota (Fifth Claim), Vermont (Sixth Claim), Delaware (Seventh Claim), Virginia (Eighth Claim), Kansas (Ninth Claim), Maine (Tenth Claim), and Indiana (Eleventh Claim).

Discipline

1. Discipline for providing incorrect, misleading, incomplete or materially untrue information in an insurance producer license application; § 162R(a)(1)

It is appropriate to revoke Mr. Gadsden's Massachusetts insurance licenses and fine him the maximum civil penalty of \$1,000.00 pursuant to Chapter 176D, § 7, because he provided incorrect, misleading, incomplete or materially untrue information in his Massachusetts insurance producer license application (First Claim).

2. Discipline for violations of insurance laws of other jurisdictions; § 162R(a)(2)

For each of Mr. Gadsden's violations of the insurance laws of seven other jurisdictions -- Indiana (Twelfth Claim and Nineteenth Claim), South Dakota (Thirteenth Claim), Vermont (Fourteenth Claim), Delaware (Fifteenth Claim), Virginia (Sixteenth Claim), Kansas (Seventeenth Claim), and Maine (Eighteenth Claim) -- it is appropriate to revoke his Massachusetts insurance licenses. The levying of a civil penalty for Mr. Gadsden's violation of the insurance laws of another state appropriately is left to that other jurisdiction.

3. Discipline for obtaining or attempting to obtain a license through misrepresentation or fraud; § 162R(a)(3)

It is appropriate to revoke Mr. Gadsden's Massachusetts insurance licenses because he attempted to obtain a South Dakota insurance producer license through misrepresentation or fraud (Twenty-sixth Claim). It is appropriate to revoke Mr. Gadsden's Massachusetts insurance licenses because he obtained a Vermont insurance producer license through misrepresentation or fraud (Twenty-seventh Claim). The levying of a civil penalty for Mr. Gadsden's obtaining or attempting to obtain a license from another state appropriately is left to that other jurisdiction. Because Mr. Gadsden obtained a Massachusetts insurance license through misrepresentation or fraud (Second Claim), it is appropriate to revoke his Massachusetts insurance licenses and to fine him the maximum civil penalty of \$1,000.00 pursuant to Chapter 176D, § 7.

4. Discipline for having been found to have committed an insurance unfair trade practice; § 162R(a)(7)

The Third Claim of the OTSC is denied.

5. *Discipline for having an insurance producer license denied or revoked in any other state; § 162R(a)(9)*

It is appropriate to revoke Mr. Gadsden's Massachusetts insurance licenses because the State of South Dakota denied him an insurance producer license (Fourth Claim). It is appropriate to revoke Mr. Gadsden's Massachusetts insurance licenses because the State of Indiana denied him the renewal of his Indiana insurance producer license (Twenty-fifth Claim). It is appropriate to revoke his Massachusetts insurance licenses for each of the five revocations of his producer licenses issued by other jurisdictions; by Vermont (Twentieth Claim), Delaware (Twenty-first Claim), Virginia (Twenty-second Claim), Kansas (Twenty-third Claim), and Maine (Twenty-fourth Claim). No civil penalties are levied for these seven § 162R(a)(9) causes. *See generally Division of Insurance v. Russell*, Docket No. E2015-09.⁴

6. *Discipline for non-reporting of administrative actions; § 162V(a)*

Each one of Mr. Gadsden's seven violations of the reporting requirement of § 162V(a) was a particularly serious offense because the non-reported administrative actions involved insurance license denial, denial of renewal, or revocation. His non-reporting, therefore, unlike the non-reporting of less significant matters, drastically affects his eligibility and qualifications for a Massachusetts producer license. Revocation of his Massachusetts licenses and the maximum civil penalty of \$500.00 pursuant to Chapter 175, § 194, is appropriate for each one of his seven violations of § 162V(a).⁵

⁴ In her *Decision on Petitioner's Motion For Summary Decision in Division of Insurance v. Russell*, the Presiding Officer *inter alia* reached the following conclusions:

Section 162R (a) also permits the Commissioner to levy a civil penalty in accordance with Chapter 176D, §7 for the reasons that permit disciplinary action under §162R (a). Of the 14 statutory reasons for disciplining a licensee, 12 are based on actions that a licensee or applicant has affirmatively taken; the other two reasons permit disciplinary action based on actions taken against the license, either conviction of a felony (a)(6) or revocation, suspension or denial of a license by another jurisdiction (a)(9). It is reasonable to consider imposing a fine when the disciplinary action arises from the respondent's personal actions. I am not, however, persuaded that a fine is reasonable if the disciplinary action is based on an action taken elsewhere against the respondent. For that reason, I conclude that while the record fully supports revocation of Russell's license under (a)(6) and (a)(9), no fine should be imposed.

⁵ Penalties pursuant to § 162V(a) are limited to no more than \$500.00 pursuant to Chapter 175, § 194 ("Whoever violates any provision of this chapter, the penalty whereof is not specifically provided for herein, shall be

ORDERS

After due notice, hearing, and consideration, it is hereby ORDERED:

1. That Germone A. Gadsden shall cease and desist from the conduct complained of in the Order to Show Cause;
2. That any and all insurance producer licenses issued to Germone A. Gadsden by the Massachusetts Division of Insurance are hereby revoked;
3. That Germone A. Gadsden shall return to the Massachusetts Division of Insurance any licenses in his possession, custody or control;
4. That Germone A. Gadsden is, from the date of this *Decision and Order*, prohibited from directly or indirectly transacting any insurance business or acquiring, in any capacity whatsoever, any insurance business in the Commonwealth of Massachusetts;
5. That Germone A. Gadsden shall comply with the provisions of Chapter 175, § 166B, and dispose of any and all interests in Massachusetts as proprietor, partner, stockholder, officer or employee of any licensed insurance producer; and
6. That Germone A. Gadsden shall pay to the Massachusetts Division of Insurance **within 30 days of the entry of this *Decision and Order*** a civil penalty of **Five Thousand Five Hundred Dollars (\$5,500.00)** pursuant to Chapter 175, §§ 162V(a), 162R(a), and § 194; and Chapter 176D, § 7.

A copy of this *Decision and Order* shall be sent by the Docket Clerk by regular first class mail, postage paid, to Germone A. Gadsden at the addresses listed on the records of the Division as his current addresses: 6230 Hackberry Creek Trail, Apartment # 228, Charlotte, North Carolina 28269 (home/ mailing), and c/o TIAA-CREF, 8500 Andrew Carnegie Boulevard, Charlotte, North Carolina 28262 (business). A copy of this *Decision and Order* also shall be sent by the Docket Clerk by regular first class mail, postage paid, to Germone A. Gadsden at

punished by a fine of not more than five hundred dollars.”). Although a violation of the § 162V(a) reporting requirement constitutes the violation of a Massachusetts insurance law, the OTSC did not seek penalties pursuant to § 162R(a)(2), violation of an insurance law, for Mr. Gadsden’s § 162V(a) violations. Discipline under § 162R(a)(2) may include license revocation and a fine of up to \$1,000.00 pursuant to Chapter 176D, § 7.

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10825 Dorchester Road, Apartment 1058, Summerville, South Carolina 29485. An electronic copy of this *Decision and Order* shall be sent to him at germonegadsden@yahoo.com.

Filed: May 23, 2016

Stephen M. Sumner
Presiding Officer

This decision may be appealed to the Commissioner of Insurance pursuant to Massachusetts General Laws Chapter 26, § 7.

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