

6. On January 30, 2012 Respondent was advised by the Department that his continuing education credit hours for the period ending March 31, 2011 needed to be completed no later than February 29, 2012 or this action would proceed.

7. Respondent failed to satisfy his continuing education requirement by February 29, 2012, and the Department filed a Motion for Default Judgment on March 5, 2012.

Conclusions of Law

8. Pursuant to 8 V.S.A. § 4800a and Insurance Regulation I-2000-02, titled *Continuing Education Requirements for Insurance Producers Amended 11/22/07*, the Commissioner shall require resident producers to complete educational programs in their field. The Commissioner may suspend or revoke a license of any person who fails to comply with the educational requirements established by the Commissioner.

9. Pursuant to 8 V.S.A. § 15 the Commissioner may issue orders necessary to the administration of and to carry out the purposes of Title 8 of the Vermont Statutes.

10. Respondent, pursuant to Section 5(a) of Regulation 82-1 (Revised) (“Regulation 82-1”), was required to file an answer no later than 30 days after the date of service of the petition in this contested case.

11. Section 12 of Regulation 82-1 provides, that where a Respondent, against whom a pleading initiating a contested case has been properly served, fails to answer within the time period specified in Section 5(a) or fails to defend the charge, the Petitioner may move for a decision by default. The Commissioner may render a decision by default at any time after the passage of ten days from the date of filing and service of the motion for default, whereupon the Commissioner may issue any applicable order.

12. Section 5(b) of Regulation 82-1 provides, that if a Respondent fails to serve an

answer timely, the allegations contained in the pleading that initiated the contested case will be treated as proven and a default judgment may be entered as provided in Section 12 of this Regulation.

13. Respondent has failed to respond to the Motion for Default Judgment and ten (10) days have passed since the time of the filing of the motion.

ORDER

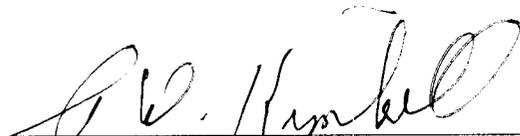
IT IS HEREBY ORDERED THAT:

1. A Default Judgment is entered as against Respondent pursuant to Section 12 of Regulation No. 82-1 and a decision by default is rendered.

2. The resident producer license of Corbett A. Nielsen, #59018, is hereby suspended, effective immediately, until his continuing education requirement is satisfied for the reporting period ending March 31, 2011 and the Department receives certification of completion under oath. Respondent must also provide the Department with the continuing education course completion certificates within 30 days of certification.

3. Respondent shall, pursuant to 8 V.S.A. § 4806, forthwith deliver his license to the Department by personal delivery or by mail.

Dated at Montpelier, Vermont this 23rd day of March, 2012.


STEPHEN W. KIMBELL, Commissioner
Vermont Department of Banking, Insurance,
Securities and Health Care Administration