

**STATE OF VERMONT
DEPARTMENT OF BANKING, INSURANCE, SECURITIES
& HEALTH CARE ADMINISTRATION**

IN RE: IAN M. MILLER

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DOCKET NO. 11-078-1

COMMISSIONER'S ORDER

Findings of Fact

1. Ian M. Miller ("Respondent") holds resident producer license #60605 with the State of Vermont which license has an expiration date of March 31, 2013.
2. Respondent was notified by the Department by letter dated February 16, 2011 that the continuing education credits required by Vermont law were to be completed or an extension requested by March 31, 2011.
3. On March 25, 2011 Respondent filed a request with the Department for an extension of time in which to complete the required continuing education courses.
4. Respondent was granted a six-month of extension of the period of time for the completion of continuing education requirements.
5. Respondent failed to satisfy his continuing education requirements during the extension period.
6. On October 31, 2011 the Department served upon Respondent the Petition for Suspension of License ("Petition") in this action.
7. Respondent failed to file a timely response to the Petition for Suspension of License.
8. On December 1, 2011 the Department filed a Motion for Default Judgment.

9. On December 5, 2011 the Department received a letter from the Respondent in which he failed to file any legal or factual defense and waived his right to an oral hearing.

10. Respondent has failed to satisfy the requirement that he earn a minimum of 24 credit hours of continuing education, including a minimum of 3 credit hours of insurance ethics, for the two (2) year period ending March 31, 2011.

Conclusions of Law

11. Pursuant to Regulation No. 82-1 (revised), a respondent must file an answer to the petition which initiated the contested case within 30 days of the date on which the charges were served.

12. A respondent's answer must include a response to the substance of each allegation, a brief statement of any legal or factual defense, and a statement as to whether the respondent waives an oral hearing, as more fully set out in Regulation No. 82-1 (Revised), Section 5.

13. The Department's burden in this matter is to prove by a preponderance of the evidence that Petitioner failed to satisfy the continuing education requirement in violation of 8 V.S.A. § 4800a and Insurance Regulation I-2000-02, as amended. Scienter is not required.

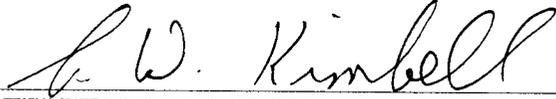
14. Pursuant to 8 V.S.A. § 4804(a)(3), the Commissioner may suspend, revoke or refuse to continue or renew any license issued under this chapter if, after notice to the licensee and opportunity for hearing, he finds that the licensee is in violation of, or noncompliance with, any insurance laws, or for violation of any lawful rule, regulation, subpoena, or order of the commissioner or of a commissioner of another state.

Order

IT IS HEREBY ORDERED THAT:

1. Judgment is entered as against Respondent pursuant to 8 V.S.A. § 4804(a)(3).
2. The resident producer license of Ian M. Miller 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 9th day of December, 2011.



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