

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

IN RE: SEAN DEANDRE DADE)
)
) DOCKET NO. 11-103-I

FINAL DECISION AND ORDER

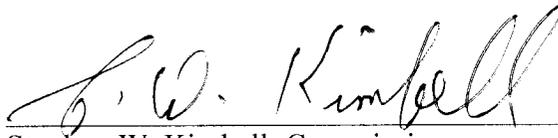
This matter is a contested administrative case before the Commissioner (“Commissioner”) of the Department of Banking, Insurance, Securities and Health Care Administration (“Department”) brought by the Insurance Division (“Division”) of the Department against Sean Deandre Dade (“Respondent”) as initiated by a Petition for Suspension of License dated November 30, 2011. Respondent filed his response to the Petition which was received by the Department on December 9, 2011.

Attorney Robert V. Simpson, Jr., duly appointed Hearing Officer, heard the contested case on February 29, 2012. Respondent did not appear for this contested hearing. The Hearing Officer’s Findings of Fact and Conclusions of Law are set forth in the attached Exhibit 1 and are incorporated in their entirety in this Final Decision. The parties did not file written exceptions, legal briefs or request oral argument before the Commissioner.

Upon consideration of the record in this matter, the Commissioner hereby adopts in their entirety the Hearing Officer’s Proposed Findings of Fact and Conclusions of Law contained in the Proposal for Decision and issues the following **ORDER**:

Respondent’s non-resident producer license is suspended, effective immediately, until such time as he is compliant with the requirements of 8 V.S.A. § 4800 and has otherwise satisfied the requirements for non-resident licensure in the State of Vermont.

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

A handwritten signature in cursive script that reads "S. W. Kimbell". The signature is written in black ink and is positioned above a horizontal line.

Stephen W. Kimbell, Commissioner
Vermont Department of Banking, Insurance, Securities
and Health Care Administration

STATE OF VERMONT
DEPARTMENT OF BANKING, INSURANCE, SECURITIES,
AND HEALTHCARE ADMINISTRATION

In Re Sean Deandre Dade,
Respondent

Docket No. 11-103-1

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
PROPOSAL FOR DECISION

Introduction

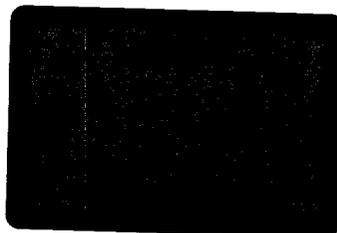
On November 30, 2011 the Insurance Division (Division) of the Vermont Department of Banking, Insurance, Securities, and Healthcare Administration (Department) filed a complaint petitioning the Commissioner, pursuant to 3 VSA §814 (c) and 8 VSA § 4804, to suspend the non-resident producer license of Sean Deandre Dade (Respondent).

A hearing on the merits of the Division's petition was held on February 29, 2012. The Division was represented by Christina Rouleau, Esq. The Respondent did not attend the hearing. Robert V. Simpson, Jr., Esq. served as Hearing Officer.

The undersigned submits the following Findings of Fact, Conclusions of Law and Proposal for Decision after considering all relevant evidence.

Findings of Fact

1. Respondent, Sean Deandre Dade, whose address of record is Safeb4sorry, c/o Sean Dade, 108 Waterford Place, Atlanta GA 30342, applied electronically for a non-resident producer license in Vermont through the National Insurance Producer Registry (NIPR) on June 29, 2011. Division Exhibit (Exhibit) 1
2. Respondent was granted non-resident producer license #760854 in Vermont on June 30, 2011. Exhibit 1
3. NIPR had advanced the total \$180 licensing fee for obtaining the license to the State of Vermont on behalf of the respondent on June 29, 2011. Testimony of Sandra Fraser on February 29, 2012 (Fraser), Exhibit 1
4. On October 12, 2011, NIPR contacted Ms. Fraser and reported that Respondent had failed to reimburse NIPR for the \$180 fee. Fraser, Exhibit 2
5. Ms. Fraser contacted Respondent on or about October 12, 2011. Respondent reported that he had a "payment plan" with NIPR and told her that he would forward her (Ms.



Fraser) copies of checks to prove that he had paid to NIPR - \$200 on September 5, 2011 and another \$200 on October 5, 2011. Ms. Fraser never received copies of Respondent's checks. Fraser, Exhibit 2

6. On October 13, 2011, NIPR Billing Specialist, Tara Darnell, emailed Ms. Fraser and informed her that as of that date NIPR had not been reimbursed by Respondent. Fraser, Exhibit 3
7. On November 9, 2011, Ms. Darnell emailed Ms. Fraser reporting that NIPR had still not received any money from Respondent. A letter summarizing NIPR's failed efforts to obtain payment from the Respondent was attached. Fraser, Exhibits 4 and 5
8. On November 30, 2011, the Division filed the petition to suspend Respondent's non-resident producer license for failure to pay the \$180 in licensing fee.
9. On December 13, 2011, the State of Vermont reimbursed NIPR the \$180 that NIPR had advanced on Respondent's behalf. Fraser, Exhibits 7, 8
10. On February 15, 2012, the undersigned convened a Pre-Hearing Conference in this matter at 10a.m. in the Department's 3rd Floor Conference Room Center in the City Center, Montpelier, Vermont. The Division was represented by Atty. Rouleau.
11. Although notice of the Pre-Hearing Conference had been mailed to Respondent on February 3, 2012, Respondent did not attend the conference.
12. On February 16, 2012, notice that a Hearing on the Merits in this matter would be held at 10 a.m. in the Department's 3rd Floor Conference Room in the City Center in Montpelier, Vermont was sent to the Respondent.
13. The Merits Hearing in this matter was held on February 29, 2012 as noticed. Atty. Rouleau represented the Division. Respondent did not attend.
14. As of February 29, 2012, Respondent had not paid the \$180 in fees required to obtain his non-resident producer license in Vermont. Fraser

Conclusions of Law

1. The Commissioner has the power to suspend, revoke, or refuse to continue or renew Respondent's non-resident producer license for any violation of, or non-compliance with, "insurance laws." 8 VSA §4804 (a) (3)
2. Respondent received the notice and opportunity to be heard on the Division's petition to suspend his non-resident producer license that is required by 8 VSA § 4804 (a) and 3 VSA § 814 (a) and (c)

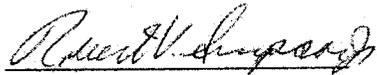
3. The Division has met its burden and proven by a preponderance of the evidence that Respondent has failed to pay the \$180 in licensing fees required to obtain a non-resident producer license as required under 8 VSA § 4800 (2) (A).

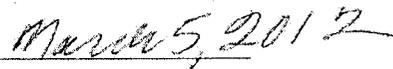
Proposed Decision and Order

The Division has proven that Respondent has violated, and continues to violate, the licensing payment provisions in 8 VSA § 4800 (2) (A). Accordingly, the undersigned respectfully recommends that the Commissioner issue an ORDER suspending the Vermont non-resident producer license of Sean Deandre Dade, until such time as he is compliant with the requirements of 8 VSA § 4800 and has otherwise satisfied the requirements for non-resident licensure in the State of Vermont.

RIGHT TO FILE WRITTEN EXCEPTIONS

“Any party adversely affected by the proposal decision of the hearing officer shall have 10 days from the date of service to file written exceptions, legal briefs or request oral argument before the Commissioner. The parties, by written stipulation, may waive these opportunities.” Regulation No. 82-1 (Revised), Section 7 (c)


Hearing Officer


Date