

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

RAISIN VALLEY INSURANCE
System ID No. 0034988

ENFORCEMENT CASE NO. 12-11572

DEANNA L. SOBOCIENSKI
System ID No. 0070345

Respondents.

_____ /

Issued and entered
on August 5, 2013
By **Annette E. Flood**
Chief Deputy Director

ORDER ACCEPTING STIPULATION

Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS)¹ in this matter, the Chief Deputy Director finds and concludes that:

1. The Chief Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation in this proceeding pursuant to the Michigan Administrative Procedures Act of 1969 (APA), as amended, MCL 24.201 et seq., and the Michigan Insurance Code of 1956 (Code), MCL 500.100 et seq.
2. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
3. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
4. All applicable provisions of the APA have been met.
5. Respondent Deanna L. Sobocienski (Sys. ID No. 007345) (hereinafter Respondent Sobocienski) is the Designated Responsible Licensed Producer for Respondent Raisin Valley Insurance (Sys. ID. No. 0034988) (hereinafter Respondent RVI), and, pursuant to

¹ After this case was commenced Governor Rick Snyder transferred the authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulations to the Director of the Department of Insurance and Financial Services by Executive Order 2013-1, effective March 18, 2013.

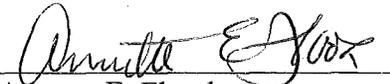
Section 1205(2)(b) of the Code, MCL 500.1205(2)(b), is responsible for the agency's compliance with Michigan's insurance laws, rules, and regulations.

6. Respondent Sobocienski is President of Respondent RVI.
7. Respondent Sobocienski, in failing to turn over \$10,312 in premium payments received on behalf of a client in 2008 and 2009, violated Section 1207(1) of the Code, MCL 500.1207(1), by mishandling funds held in a fiduciary capacity.
8. Respondent Sobocienski, in failing to turn over the \$10,312 in premium payments, has provided justification for discipline pursuant to Section 1239(1)(d) of the Code, MCL 500.1239(1)(d), by improperly withholding and converting to her use the \$10,312.
9. Respondent Sobocienski has, as of May, 2013, failed to fully repay the \$10,312 owed. Respondent Sobocienski is currently under a payment arrangement and has agreed to repay the \$10,312 owed.
10. Respondent Sobocienski, in failing to return \$50,418 in premium funds to a premium finance company during 2009 and 2010, when Respondents learned that insurance coverage was no longer needed by D&M Carpentry, Barbi Boutique, and Hope Investments, violated Section 1207(1) of the Code, MCL 500.1207(1), by mishandling funds held in a fiduciary capacity.
11. Respondent Sobocienski, in failing to return \$50,418 in premium funds to their premium finance company has provided justification for discipline pursuant to Section 1239(1)(d) of the Code, MCL 500.1239(1)(d), by improperly withholding and converting to her use the \$50,418.
12. Respondent Sobocienski, in failing to turn over \$5,737 in premium payments received from or on behalf of J&S, LLC. in 2010, violated Section 1207(1) of the Code, MCL 500.1207(1) by mishandling funds held in a fiduciary capacity.
13. Respondent Sobocienski, in failing to turn over the \$5,737, has provided justification for discipline pursuant to Section 1239(1)(d) of the Code, MCL 500.1239(1)(d), by improperly withholding and converting the \$5,737.
14. Respondent Sobocienski, in failing to forward to the insurer \$8,856 in premium payments received from or on behalf of Landmarc, Inc. in 2010, violated Section 1207(1) of the Code, MCL 500.1207(1) by mishandling funds held in a fiduciary capacity.
15. Respondent Sobocienski, in failing to forward to the insurer the \$8,856, has provided justification for discipline pursuant to Section 1239(1)(d) of the Code, MCL 500.1239(1)(d), by improperly withholding and converting to her use the \$8,856.
16. Respondent Sobocienski, in failing to return to the premium finance company \$4,171 in unearned net premiums received from the wholesale broker, violated Section 1207(1) of the Code, MCL 500.1207(1) by mishandling funds held in a fiduciary capacity.

17. Respondent Sobocienski, in failing to return the \$4,171, has provided justification for discipline pursuant to Section 1239(1)(d) of the Code, MCL 500.1239(1)(d), by improperly withholding and converting to her use the \$4,171.
18. Respondent Sobocienski has, as of February 13, 2013, failed to fully repay the \$4,171 owed. Respondent Sobocienski is currently under a payment arrangement and has agreed to repay the \$4,171 owed.
19. Respondent RVI has provided justification for discipline, pursuant to Section 1239(3) of the Code, MCL 500.1239(3), because Respondent Sobocienski's violations previously listed were known, or should have been known, by Respondent Sobocienski, an officer of Respondent RVI, and the violations were neither reported to the Director nor was corrective action taken.
20. Based on the foregoing, Respondents no longer meets the minimum requirements to maintain licensure as resident insurance producers. MCL 500.1205.

Now, therefore, based upon the Stipulation to Entry of Order and the facts surrounding this case, **IT IS ORDERED THAT:**

21. The insurance producer agency license of Respondent Raisin Valley Insurance (Sys. ID. No. 0034988) is hereby voluntarily and permanently surrendered.
22. The insurance producer license of Respondent Deanna L. Sobocienski (Sys. ID No. 007345) is hereby voluntarily and permanently surrendered.
23. The Respondents shall cease and desist from violating the Code and shall not engage in any activity requiring licensure under the Code, effective August 31, 2013.
24. The Director retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as shall be deemed just, necessary, and appropriate in accordance with the Act. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order may result in the commencement of additional proceedings.


Annette E. Flood
Chief Deputy Director

STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Before the Director of the Department of Insurance and Financial Services

In the matter of:

RAISIN VALLEY INSURANCE
System ID No. 0034988

ENFORCEMENT CASE NO. 12-11572

DEANNA L. SOBOCIENSKI
System ID No. 0070345

Respondents.

_____ /

STIPULATION TO ENTRY OF ORDER

Raisin Valley Insurance (hereinafter Respondent RVI) and Deanna L. Sobocienski (hereinafter Respondent Sobocienski) stipulate to the following:

1. On or about August 1, 2012, the Department of Insurance and Financial Services (DIFS)² served Respondents with a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondents violated provisions of the Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. Specifically, the NOSC contained allegations that Respondents violated Section 1207(1) of the Code, MCL 500.1207(1), Section 1239(1) of the Code, MCL 500.1239(1), and Section 4503 of the Code, MCL 500.4503.
3. Respondents exercised their right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
4. Respondents and DIFS conferred for the purposes of resolving this matter.
5. At all pertinent times, Respondent RVI was an active licensed resident insurance producer agency in the State of Michigan, with qualifications in Accident and Health, Casualty, Life, Property, and Variable Annuities.

² After this case was commenced Governor Rick Snyder transferred the authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulations to the Director of the Department of Insurance and Financial Services by Executive Order 2013-1, effective March 18, 2013.

6. At all pertinent times, Respondent Sobocienski was a licensed resident insurance producer authorized to transact the business of insurance in Michigan with qualifications in Accident and Health, Casualty, Life, Property, and Variable Annuities.
7. At all pertinent times, Respondent Sobocienski was the Designated Responsible Licensed Producer (DRLP) of record for Respondent RVI.
8. All parties have complied with the procedural requirements of the APA and the Code.
9. Respondents understand and agree that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
10. Respondents admit that they failed to comply with the requirements of the Code as alleged in the attached proposed Order Accepting Stipulation. This admission is to be void and of no effect unless the attached Order Accepting Stipulation is issued.
11. Respondent RVI's resident producer agency license shall be permanently surrendered on or before August 31, 2013.
12. Respondent Sobocienski's resident producer license shall be permanently surrendered on or before August 31, 2013. [The Chief Deputy Director may, in her sole discretion, decide to accept or reject this Stipulation to Entry of Order. If the Chief Deputy Director accepts the Stipulation to Entry of Order, Respondents waive the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondents waive any objection to the Director holding a formal administrative hearing and making his decision after such hearing.
13. Respondents have had an opportunity to review the Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.

Deanna L. Sobocienski
Raisin Valley Insurance
System ID No. 0034988

7-31-2013
Date

By: Deanna L. Sobocienski

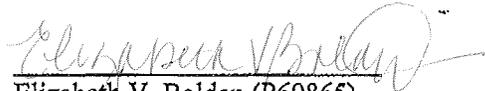
Its: President

Deanna L. Sobocienski
Deanna L. Sobocienski
System ID No. 0070345

7-31-2013
Date

Stipulation to Entry of Order
Enforcement Case No. 12-11572
Page 3 of 3

DIFS staff approves this stipulation and recommends that the Chief Deputy Director issue the above Order Accepting Stipulation.


Elizabeth V. Bolden (P69865)
DIFS Staff Attorney

August 1, 2013
Date