

**STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

**Terri L. Martinez
System ID No. 260258**

Enforcement Case No. 08-6977

Respondent
_____ /

Issued and entered
on August 17th 2009
by **Stephen R. Hilker**
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

A. FINDINGS OF FACT AND CONCLUSIONS OF LAW

It is alleged that the following statements are true and correct:

1. At all pertinent times, Terri L. Martinez ("Respondent") was a licensed resident producer authorized to transact the business of insurance in this state.
2. As a licensed insurance producer, Respondent knew or had reason to know that Section 1239 of the Michigan Insurance Code ("Code") allows the Commissioner to place on probation, suspend, or revoke an insurance producer's license and/or levy a civil fine under Section 1244 for using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.
3. As a licensed insurance producer, Respondent further knew or had reason to know that Section 1239 of the Code allows the Commissioner to place on probation, suspend, or revoke an insurance producer's license and/or levy a civil fine under Section 1244 for forging another's name to an application for insurance or any document related to an insurance transaction.
4. On or about September 4, 2008, the Office of Financial and Insurance Regulation ("OFIR") received a complaint from [REDACTED] Investigator for ING/ReliaStar Life Insurance Company. The complaint alleges Respondent forged the signature of an insured on a document related to an insurance transaction.

5. On July 15, 2008, Respondent signed/forged the name of another to a document entitled Salary Reduction Agreement Amendment of the Employment Contract for Employers Eligible to Offer §403(B) Tax-Sheltered Annuities, (hereafter "Salary Reduction Agreement.")
6. On July, 23, 2008, ING/ReliaStar received a complaint from an insured alleging that someone had changed her Salary Reduction Agreement by forging her signature.
7. On July 23, 2008, the insured reviewed the Salary Reduction Agreement and then signed and had an Affidavit of Forgery notarized that stated the signature on the Salary Reduction Agreement was not hers.
8. On August 19, 2008, Respondent signed and notarized a Statement Paper in which Respondent admitted she signed the insured's name on the above referenced Salary Reduction Agreement. Respondent further stated that she signed the insured's name to the Salary Reduction Agreement to obtain convention credits.
9. Respondent violated Section 1239(1)(j) of the Code by forging another person's name to a document related to an insurance transaction.
10. Respondent violated Section 1239(1)(h) of the Code by using fraudulent, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in the State of Michigan.
11. By the conduct described above, Respondent is subject to licensing and other appropriate sanctions pursuant to Sections 1239 and Section 1244(1) of the Code.


B. ORDER

Based on the findings of fact and conclusions of law above and Respondent's stipulation, it is ORDERED that:

1. Respondent shall immediately cease and desist from operating in such a manner as to violate with Section 1239(1)(h) and (j) of the Code, MCL 500.1239(1)(h) and 500.1239(1)(j).
2. In addition to her required continuing education hours of study, Respondent shall attend and complete eight (8) hours of continuing education course of study concerning ethics in insurance within twelve (12) months of the entry of this Order and provide the Insurance Licensing Director with a completion certificate for each course.
3. Within 90 days of issuance and entry of this Order, Respondent shall pay to the Complainant restitution in the amount of One Thousand Dollars (\$1,000.00) to cover any losses, damages, or other harm attributed to the Respondent's act of forging the Complainant name to an insurance document.

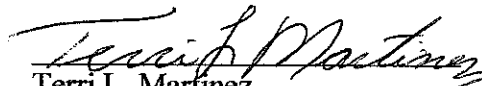
4. Respondent shall pay to the State of Michigan, a civil fine of Five Hundred Dollars (\$500.00.) Upon issuance and entry of this Order, OFIR will send an Invoice to Respondent, and Respondent shall pay the fine by the due date printed on the Invoice.

OFFICE OF FINANCIAL AND
INSURANCE REGULATION

By: 
Stephen R. Hilker
Chief Deputy Commissioner

C. STIPULATION

I have read and understand the consent order above. I agree that the Commissioner has jurisdiction and authority to issue this consent order pursuant to the Insurance Code. I waive the right to a hearing in this matter if this consent order is issued. I understand that this stipulation and consent order will be presented to the Commissioner for approval and the Commissioner may or may not issue this consent order. I waive any objection to the Commissioner deciding this case following a hearing in the event the consent order is not approved. I admit the facts set forth in the above consent order and agree to the entry of this order.


Terri L. Martinez
System ID No. 260258

Dated: August 11, 2009

The OFIR staff approves this stipulation and recommends that the Commissioner issue the above Consent Order.


William R. Peattie

Dated: 8/17/09