

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

**Before the Director of the Department of Insurance and Financial Services**

In the matter of:

**Kayla Rojo**  
System ID No. 0993399

**Enforcement Case No. 23-17353**

Respondent.  
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**Issued and entered  
on September 21, 2023  
by Anita G. Fox  
Director**

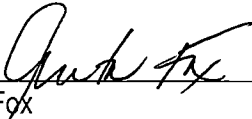
**ORDER FOR SUMMARY SUSPENSION OF INSURANCE PRODUCER LICENSE AND  
NOTICE OF OPPORTUNITY FOR HEARING**

Pursuant to Section 92(2) of the Administrative Procedures Act, MCL 24.292(2), and Section 1242(4) of the Michigan Insurance Code (Code), MCL 500.1242(4), and the attached FINDINGS OF FACT AND CONCLUSIONS OF LAW which demonstrate the necessity for emergency action in order to protect the public health, safety, and welfare:

**IT IS THEREFORE ORDERED THAT:**

1. All licenses currently held by Respondent Kayla Rojo (Respondent Rojo) (System ID No. 0993399) through which Respondent Rojo holds herself out to the public as an insurance producer and engages in the business of selling, soliciting, and/or negotiating insurance are **SUMMARILY SUSPENDED**.
2. A copy of this Order shall be immediately served upon Respondent Rojo. This Order shall be effective upon the date of service.
3. Respondent Rojo has 30 calendar days after the service of this Order to contest it by requesting a hearing. Any request for a hearing should be addressed to the Department of Insurance and Financial Services, Attention: Randie Swinson, Hearings Coordinator, P.O. Box 30220, Lansing, MI 48909-7720 or faxed to 517-284-8851.
4. Failure to timely request this hearing may result in revocation of Respondent Rojo's license and the imposition of other fines and costs as are appropriate under the law.
5. If requested by Respondent Rojo, a hearing on this matter shall be promptly commenced. The hearing shall address the following issues:

- a. Whether the suspension should be continued or withdrawn.
  - b. Whether Respondent Rojo's license should be revoked.
6. If a hearing is requested, an administrative law judge from the Michigan Office of Administrative Hearings and Rules shall preside over any such hearing.
  7. This Order shall remain in effect until further order of the Director. The Director retains jurisdiction of the matters contained within and the authority to issue such further Orders as shall be deemed just, necessary, and appropriate.

  
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Anita G. Fox  
Director

#### **ADVICE OF RIGHTS DURING CIVIL ADMINISTRATIVE LICENSING PROCEEDINGS**

The Department of Insurance and Financial Services has initiated civil administrative proceedings that may affect license(s) issued to you by the Department. If you choose to participate in these proceedings, you may be asked questions and you may be asked to produce information and documents related to the issues involved in the civil administrative proceeding. However, under the Fifth Amendment to the Constitution of the United States, you cannot be compelled to answer questions or give information or documents that might incriminate you in any way.

You have the right to remain silent. Anything that you say during this civil administrative proceeding and any information or documents you provide during this civil administrative proceeding may be used against you in a criminal prosecution. A criminal prosecution may be initiated against you at any time. You have the right to seek the assistance of an attorney of your choosing at any time, including at any time before you answer any questions or provide any information or documents requested by the Department during this proceeding. You are entitled to exercise these rights at any time during this civil administrative proceeding.

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**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. At all relevant times, Kayla Rojo (Respondent), (System ID No. 0993399), was a licensed resident insurance producer in the state of Michigan with qualifications in life since September 9, 2020.
2. Information derived from an investigation conducted by the Department of Insurance and Financial Services (DIFS), set forth below, demonstrates that Respondent Rojo violated the Michigan Insurance Code (Code) on numerous occasions, and engaged in a pattern and practice that poses a threat of financial loss and/or significant negative financial ramifications to the public.
3. Emergency action is necessary to protect the public health, safety, and welfare. DIFS has significant concerns with Respondent Rojo's ability to honestly engage in the business of insurance for current and future customers. The Director lacks confidence that Respondent Rojo will act in good faith as an insurance producer.
4. Without prompt action summarily suspending Respondent Rojo's license, additional customers will be misled by Respondent Rojo's scheme to encourage insureds to cancel their current insurance policy and buy a new insurance policy.
5. To demonstrate the need for summary suspension and imminent threat of harm, DIFS presents additional facts of Respondent Rojo's conduct as set forth below.
6. On April 24, 2023, DIFS received a complaint from D.L. (DL) stating that:
  - On April 21, 2023, Respondent Rojo arrived at her house and falsely identified herself as a State of Michigan DIFS Fraud Investigator.
  - Respondent Rojo stated that DIFS was investigating American Income Life Insurance Company (AIL).
  - Respondent Rojo stated that many AIL insureds were cancelling their policies because of AIL's actions.
  - Respondent Rojo stated that, if DL canceled her AIL policy, she would receive \$1,851.60 from the State of Michigan.
  - Respondent Rojo attempted to sell life insurance underwritten by United of Omaha Life Insurance Company (Mutual of Omaha) after AIL cancellation forms were complete.

- DL stated that she would not have allowed Respondent Rojo in her home if Respondent Rojo had not identified herself as a SOM DIFS Investigator.
7. On April 27, 2023, DIFS received a second complaint from an anonymous source (Complainant 2). Complainant 2 stated:
- On April 24, 2023, Respondent Rojo arrived at Complainant 2's home with a "Jessica Morris."
  - Respondent Rojo falsely identified herself as being with the State of Michigan.
  - Respondent Rojo and Jessica Morris forced their way into Complainant 2's home.
  - Once in the home, Respondent Rojo stated they needed to review Complainant 2's AIL policy information.
  - Respondent Rojo stated, through her role with the State, the AIL policy was issued incorrectly.
  - Complainant 2 was encouraged to cancel their AIL policy and replace it with an "Aetna" policy.
  - Complainant 2 did not sign any documents; however, they had their AIL policy canceled. After realizing what occurred, they learned that they were being charged more for the "Aetna" policy than what was being charged for their AIL policy.
8. DIFS' investigation found that:
- Respondent Rojo falsely represented herself as a State/Governmental employee to multiple insureds.
  - Respondent Rojo fabricated fear for insureds by stating AIL was under investigation and/or had complaints filed against it.
  - Respondent Rojo encouraged AIL insureds to surrender their AIL policies, many times providing the AIL insured with a cancellation form, submitting the AIL cancellation form for the insured, or giving the insured thorough instructions on how to process the cancellation form.
  - Respondent Rojo has a strong financial incentive to conduct business in the manner detailed above because of the large commission payments she was positioned to receive from Mutual of Omaha.
  - In a meeting with DIFS Investigators, Respondent Rojo made many statements that were contrary to other information obtained.
9. On April 27, 2023, DIFS staff requested from Mutual of Omaha a customer information list submitted to it by Respondent Rojo.
10. On April 29, 2023, Mutual of Omaha provided a list of twenty-three policies submitted by Respondent Rojo.
11. Between April 29, 2023, and May 5, 2023, DIFS staff spoke with fifteen of the identified insureds. The phone discussions went as follows:

- On April 29, 2023, D. Sherman stated that Respondent Rojo identified herself as being affiliated with the “State Insurance Board.”
  - On April 29, 2023, L. Stringer stated that Respondent Rojo initially identified herself as being with the State. Respondent Rojo stated that AIL was being investigated by the State for “taking advantage of elderly people and charging them too much for life insurance policies.”
  - On April 29, 2023, J. and D. Schultz stated that Respondent Rojo, after being told they did not want to discuss AIL, told them that she was with the State of Michigan and was reviewing complaints against AIL.
  - On April 29, 2023, L. Coopshaw stated that Respondent Rojo arrived at her home unannounced and identified herself as being with a company investigating AIL. Respondent Rojo stated that her company identified L. Coopshaw’s AIL policies as being “red flagged.” Respondent Rojo went on to say that AIL is “doing wrong things with people’s money.” L. Coopshaw stated that she would not have met with Respondent Rojo if Respondent Rojo had not stated AIL was being investigated.
  - On April 29, 2023, K. King stated that Respondent Rojo stated she was a representative of DIFS, and she was evaluating complaints against AIL. On May 3, 2023, K. King stated that he would not have met with Respondent Rojo if she had not identified herself as a DIFS’ representative and was not evaluating complaints against AIL.
  - On April 29, 2023, S. Pembroke stated that Respondent Rojo arrived at her home with another female named Katie. Katie identified herself as being with the State of Michigan.
  - On May 3, 2023, B. Baumia stated that Respondent Rojo knew B. Baumia had life insurance with AIL and stated that many people had filed complaints against AIL. Respondent Rojo stated that she was investigating complaints against AIL. B. Baumia believed Respondent Rojo was with the State of Michigan.
  - On May 4, 2023, R. Baumia stated that Respondent Rojo identified herself as being with the State of Michigan and AIL was “Taking advantage of people.” R. Baumia stated that he would not have met with Respondent Rojo if she had not identified herself as being with the State.
  - On May 4, 2023, G. Pray stated that Respondent Rojo identified herself as being with the State and attempted to get her to cancel her existing insurance.
  - On May 4, 2023, J. McCutchen stated that Respondent Rojo told him AIL was overcharging him.
  - On May 4, 2023, J. Shack stated that Respondent Rojo began their interaction stating that AIL was overcharging him and representations on his AIL application would disqualify him from getting a payout if something were to occur.
  - On May 4, 2023, K. Schmidt stated that Respondent Rojo arrived at his home unannounced and stated he was being overcharged by AIL.
  - On May 5, 2023, B. Tatum stated that Respondent Rojo stated AIL was overcharging him and presented a Mutual of Omaha policy to him.
12. On the Mutual of Omaha applications, Respondent Rojo knowingly incorrectly answered several questions concerning the insureds having an existing life insurance policy or the replacement of an existing life insurance policy.

13. On May 11, 2023, AIL provided audio recorded calls made by several of the insureds. In most of the calls, Respondent Rojo is instructing the insureds what to ask and directing the conversation with the AIL representative.
14. Respondent Rojo's presentation of written applications to Mutual of Omaha, knowing the applications contained false statements, resulted in Respondent Rojo earning a minimum of \$11,618.88.
15. On May 3, 2023, DIFS staff met with Respondent Rojo. The meeting was held to provide Respondent Rojo with the opportunity to respond to allegations and for DIFS to advance the review. Respondent Rojo made multiple statements inconsistent with other facts obtained during this investigation, such as:
  - a. She door knocks two to three times a month.
  - b. She "door knocks" by herself. Unless she is training someone, which is not often.
  - c. She has only been in the field, door knocking, five times between March 1, 2023, and May 1, 2023.
  - d. She did not work with a person named Katie.
  - e. She does not replace any policies already in place. She always recommends adding to coverage.
  - f. She does not offer insureds forms to surrender their existing coverage.
  - g. She has never told prospective insureds that AIL was being investigated.
  - h. She does not identify herself as being with DIFS, an Investigator, or with the "Insurance Board."
  - i. She has never told prospective insureds that AIL was overcharging or taking advantage of people.
16. The above-listed statements made by Respondent Rojo are contrary to statements made by multiple insureds between April 29, 2023, and May 5, 2023.
17. As a licensee, Respondent Rojo knew or had reason to know that Section 1239(1)(c) of the Code, MCL 500.1239(1)(c), provides that she may be sanctioned for "[i]ntentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance." Respondent Rojo has provided justification for sanctions pursuant to Section 1239(1)(c) of the Code by misleading AIL policyholders into believing AIL was under investigation and convincing the policyholder to cancel their AIL policy and purchase an insurance policy from another insurance company.
18. As a licensee, Respondent Rojo knew or had reason to know that Section 1239(1)(g) of the Code, MCL 500.1239(1)(g), provides that she may be sanctioned for "[u]sing fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere." Respondent Rojo, by misleading AIL policyholders into believing AIL was under investigation and convincing the policyholder to cancel their AIL policy and purchase an insurance policy from another insurance company, has provided justification for sanctions pursuant to Section 1239(1)(g) of the Code, by using fraud, coercion, or dishonesty and demonstrating untrustworthiness in the conduct of insurance business in Michigan.

19. As a licensee, Respondent Rojo knew or had reason to know that Section 2005(f) of the Code, MCL 500.2005(f), provides that “[a]n unfair method of competition and an unfair or deceptive act or practice in the business of insurance means the making, issuing, circulating, or causing to be made, issued, or circulated, an estimate, illustration, circular, statement, sales presentation, or comparison which by omission of a material fact or incorrect statement of a material fact does any of the following: (f) Makes a misrepresentation for the purpose of inducing or tending to induce the lapse, forfeiture, exchange, conversion, or surrender of an insurance policy.” Respondent Rojo falsely represented herself as a representative of DIFS, the insurance board, the State of Michigan, and/or as an Investigator, leveraging those credentials to fabricate ill conduct by AIL, while knowing insureds had life insurance with AIL. Respondent Rojo’s actions created a fearful/intimidating impression with insureds to coerce the insureds into purchasing a new insurance policy through Respondent Rojo, an unfair method of competition and an unfair or deceptive act or practice in the business of insurance as defined by Section 2005(f) of the Code, MCL 500.2005(f).
20. As a licensee, Respondent Rojo knew or had reason to know that Section 2018 of the Code, MCL 500.2018, provides that “[a]n unfair method of competition and an unfair or deceptive act or practice in the business of insurance include making false or fraudulent statements or representations on or relative to an application for an insurance policy for the purpose of obtaining a fee, commission, money, or other benefit from an insurer, agent, broker, or individual.” Respondent Rojo’s actions, as described above, constitute an unfair method of competition and an unfair or deceptive act or practice in the business of insurance as defined by Section 2018 of the Code, MCL 500.2018.
21. As a licensee, Respondent Rojo knew or had reason to know that Section 2003(1) of the Code, MCL 500.2003(1), provides that “[a] person shall not engage in a trade practice that is defined or described in this chapter or is determined under this chapter to be an unfair method of competition or an unfair or deceptive act or practice in the business of insurance.” By engaging in practices that constitute an unfair method of competition and/or deceptive acts or practices in the business of insurance as defined by Sections 2005(f) and 2018 of the Code, MCL 500.2005(f) and MCL 500.2018, Respondent Rojo has violated Section 2003(1) of the Code.
22. As a licensee, Respondent Rojo knew or had reason to know that Section 1239(2)(e) of the Code, MCL 500.1239(2)(e), provides that she may be sanctioned for “[v]iolating any insurance laws or violating any regulation, subpoena, or order of the commissioner or of another state’s insurance commissioner.” Respondent Rojo has provided justification for sanctions pursuant to Section 1239(2)(e) of the Code, because, as set forth above, she has violated Section 2003(1) of the Code, MCL 500.2003(1).
23. Respondent Rojo’s actions demonstrate a pattern of behavior constituting a serious threat to the public.
24. The alleged conduct of Respondent Rojo indicates that a summary suspension of licensure is appropriate and necessary in order to protect the public from further financial damage and other harm and to protect the public interest.
25. The alleged conduct of Respondent Rojo indicates that Respondent Rojo does not possess the requisite character and fitness to be engaged in the business of insurance and further indicates that

Respondent Rojo is not entitled to the confidence of the public nor warrant the belief that Respondent Rojo will comply with the law.

26. Due process requirements of the Code and the Administrative Procedures Act require that Respondent Rojo, subject to summary disciplinary action, be provided with an opportunity for a prompt hearing on the order for summary suspension. A summary suspension of Respondent Rojo's insurance producer license is authorized by Section 92 of the Michigan Administrative Procedures Act of 1969, as amended, MCL 24.292, and Section 1242(4) of the Code, MCL 500.1242(4)