

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

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

In the matter of:

**Department of Insurance and Financial Services**

**Enforcement Case No. 13-11781**

**Agency Case No. 13-023-L**

Petitioner,

v

**Brian Larson**  
**System ID No. 0472593**

Respondent.

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Issued and enter  
this 3<sup>rd</sup> day of October 2013  
by Randall S. Gregg  
Deputy Director

**FINAL DECISION**

**I. BACKGROUND**

Respondent Brian Larson (Respondent) is a licensed insurance producer. In November of 2013, the Department of Insurance and Financial Services (DIFS) received information from State Farm Insurance Companies (State Farm) that Respondent's appointment had been terminated after he allowed a husband to sign an application for his wife and Respondent then signed the application to falsely indicate that he witnessed the wife signing the application. DIFS investigated the complaint and on July 15, 2013, issued a Notice of Opportunity to Show Compliance (NOSC) to Respondent at his last known address alleging that Respondent had provided justification for revocation of licensure pursuant to Section 1239(1)(h) of the Michigan Insurance Code (Code), MCL 500.1239(1)(h). Respondent failed to reply to the NOSC.

On August 12, 2013, DIFS issued an Administrative Complaint and Order for Hearing to Respondent at his last known address. The Order for Hearing required Respondent to take one of the following actions within 21 days: agree to a resolution of the case, file a response to the allegations with a statement that Respondent planned to attend the hearing, or request an adjournment. Respondent failed to take any of these actions.

On September 6, 2013, DIFS staff filed a Motion for Final Decision. Respondent did not file a reply to the motion. Given Respondent's failure to respond, Petitioner's motion is granted. The Administrative Complaint, being unchallenged, is accepted as true. Based upon the Administrative Complaint, the Director makes the following Findings of Fact and Conclusions of Law.

## II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Director is statutorily charged by the Code with the enforcement and responsibility to exercise general supervision and control over persons transacting the business of insurance in Michigan.
2. At all relevant times, Respondent was a licensed resident insurance producer with qualifications in accident and health, life, property, casualty, and variable annuities.
3. Respondent was appointed by State Farm on December 6, 2011.
4. On or about November 15, 2012, State Farm terminated Respondent's appointments for allowing a husband to sign an application for his wife with Respondent then signing the application to falsely indicate that he witnessed the wife signing the application.
5. Respondent allegedly tried several times to meet with the wife to obtain her signature on the life insurance application before allowing the husband to sign his wife's name.
6. Respondent should have known that he could not sign as a witness to the wife's signature when she did not sign the application.
7. As a licensee, Respondent knew or had reason to know that Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), allows the Director to place on probation, suspend, revoke, or levy a civil fine under Section 1244 or any combination thereof, for "Using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere."
8. Respondent demonstrated incompetence by allowing a husband to sign his wife's signature on her insurance application and by signing the application as a witness when he did not witness the wife signing the application.
9. DIFS staff has made reasonable efforts to serve Respondent and have complied with MCL 500.1238.
10. Respondent has received notice and has been given an opportunity to respond and appear and has not responded or appeared.

11. Respondent is in default and the Petitioner is entitled to have all allegations accepted as true.
12. Based upon the actions listed above, Respondent has committed acts that provide justification for the Director to order the payment of a civil fine, refund of any overcharges, restitution made to cover losses, damages or other harm attributed to Respondent's violations of the Code, and/or licensing sanctions under 1244(1) of the Code, MCL 500.1244(1), for the Respondent's violation of Section 1239(1)(h) of the Code, MCL 500.1239(1)(h).

### III. ORDER

Based on the Respondent's conduct and the applicable law cited above, it is ordered that:

- 1 Respondent shall cease and desist from violating the Code.
- 2 Respondent shall immediately cease and desist from engaging in the business of insurance.
- 3 All insurance licenses of Brian Larson are **REVOKED**.

R. Kevin Clinton, Director  
For the Director:



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Randall S. Gregg, Special Deputy Director