

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

Before the Director of the Department of Insurance and Financial Services

In the matter of:

CINDY S. BENAİM
System ID No. 0362910

ENFORCEMENT CASE NO. 13-11799

GREATER MICHIGAN INSURANCE AGENCY
System ID No. 00791131

Respondent.

_____ /

Issued and entered
on 10/21, 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) in this matter, the Chief Deputy Director finds and concludes that:

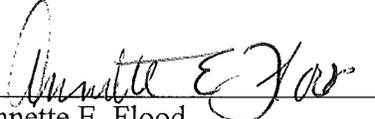
1. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of the Department of Insurance and Financial Services (DIFS).
2. The Chief 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.*
3. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
4. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
5. All applicable provisions of the APA have been met.
6. Respondent Benaim is a licensed resident insurance producer with qualifications in property, casualty, life, accident, health and variable annuities, and is authorized to transact the business of insurance in Michigan.

7. Respondent Greater Michigan Insurance Agency, LLC, (GMIA) is a licensed resident agency producer with qualifications in property, casualty, life, accident, health and variable annuities, and is authorized to transact the business of insurance in Michigan. Respondent Benaim owns GMIA, and serves as GMIA's president and designated responsible licensed producer.
8. On or about May 29, 2013, Respondent Benaim was convicted of Larceny by Conversion - \$1,000.00 or More but Less Than \$20,000.00, a felony, in violation of MCL 750.362.
9. Larceny by Conversion includes, as a required element, that a person commit an act of fraud or dishonesty, specifically: "Any person . . . who shall embezzle or fraudulently convert to his own use, or shall secrete with the intent to embezzle, or fraudulently use such goods, money or other property, or any part thereof, shall be deemed by so doing to have committed the crime of larceny."
10. "Embezzlement," "fraudulent conversion," "secreting with the intent to embezzle," or "secreting with the intent to fraudulently use" are all practices that are fraudulent, dishonest, and demonstrate untrustworthiness.
11. Respondent Benaim has provided justification for revocation of her resident producer's license, pursuant to Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), by engaging in fraudulent and dishonest practices, and demonstrating untrustworthiness.
12. Respondent Benaim's felony conviction of Larceny by Conversion - \$1,000.00 or More but Less Than \$20,000.00 has provided justification for revocation of her resident producer's license, pursuant to Section 1239(1)(f) of the Code, MCL 500.1239(1)(f).
13. Section 1239(3) of the Code, MCL 500.1239(3), provides the Director with the authority to revoke the license of Respondent Greater Michigan Insurance Agency, LLC, if the Director finds that Benaim's violation was known or should have been known by 1 or more of the partners, officers, or managers acting on behalf of the partnership or corporation and the violation was neither reported to the Director nor corrective action taken.
14. Respondent Benaim, as owner, president and designated responsible licensed producer of Greater Michigan Insurance Agency LLC, acting on behalf of and through Greater Michigan Insurance Agency LLC, engaged in fraudulent and dishonest practices, and demonstrated untrustworthiness and financial irresponsibility in the conduct of business. Thus, the Director has the authority to revoke the license of Respondent Greater Michigan Insurance Agency, LLC.

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

15. Respondent Cindy S. Benaim's resident insurance producer license is REVOKED.

16. Respondent Greater Michigan Insurance Agency, LLC's resident agency insurance producer license is REVOKED.
17. The Chief Deputy 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 Code. 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

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STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

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Before the Director of the Department of Insurance and Financial Services

In the matter of:

CINDY S. BENAİM
System ID No. 0362910

ENFORCEMENT CASE NO. 13-11799

GREATER MICHIGAN INSURANCE AGENCY, LLC
System ID No. 00791131

Respondent.

_____ /

STIPULATION TO ENTRY OF ORDER

CINDY S. BENAİM and Greater Michigan Insurance Agency (hereinafter Respondents) stipulate to the following:

1. On or about August 20, 2013, the Department of Insurance and Financial Services (DIFS) 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 Sections 1239(1)(f) and (h), MCL 500.1239(1)(f) and (h).
3. Respondents exercised the right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.* Compliance was not shown.
4. Respondents and DIFS conferred for the purpose of resolving this matter.
5. At all pertinent times, Respondent Benaim was licensed with DIFS as a licensed resident insurance producer, with qualifications in property, casualty, life, accident and health, and variable annuities, and was authorized to transact the business of insurance in Michigan pursuant to the Code. System ID No. 362910
6. At all pertinent times, Respondent Greater Michigan Insurance Agency, LLC, (GMAI) was licensed with DIFS as a licensed resident agency insurance producer, with qualifications in property, casualty, life, accident and health, and variable annuities, and was authorized to transact the business of insurance in Michigan pursuant to the Code. System ID No. 0079131. Respondent Benaim owns GMIA, and serves as GMAI's president and designated responsible licensed producer.

7. All parties have complied with the procedural requirements of the APA and the Code.
8. Respondents will cease and desist from transacting the business of insurance in the state of Michigan.
9. Respondents' resident insurance producer licenses shall be revoked.
10. Respondents understand and agree that this Stipulation to Entry of Order and Order Accepting Stipulation will be presented to the Chief Deputy Director for approval.
11. 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, Respondent waives the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation and Requiring Compliance and Payment of Fines. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondent waives any objection to the Director holding a formal administrative hearing and making his decision after such hearing.
12. Respondents have had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.

Cindy S Benaim
CINDY S. BENAİM
System ID No. 0362910

OCT 10, 2013
Date

Greater Michigan Insurance
GREATER MICHIGAN INSURANCE AGENCY, LLC
System ID No. 0079131

OCT 10, 2013
Date

BY: Cindy S Benaim
Its: owner

DIFS' Staff approve this stipulation and recommend that the Chief Deputy Director issue the above Consent Order.

ELIZABETH V. BOLDEN (P69865)
ELIZABETH V. BOLDEN (P69865)
DIFS Staff Attorney

10/16/2013
Date