

**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. 16-14527

Petitioner,

v

Daniel Vermillion
System ID No. 0725769

Respondent.
_____ /

**Issued and entered
on March 3, 2021
by Randall S. Gregg
Senior Deputy Director**

FINAL DECISION

I. Background

Daniel Vermillion (Respondent) is a licensed resident insurance producer. The Department of Insurance and Financial Services (DIFS) received information that Respondent failed to disclose multiple misdemeanor convictions on his initial application for licensure and failed to update his address with DIFS. After investigation and verification of the information, on March 15, 2018, DIFS mailed a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent had violated Sections 1206(5) and 1238(1) of the Code, MCL 500.1206(5) and 500.1238(1), and provided justification for sanctions pursuant to Sections 1239(1)(a), 1239(2)(e)¹, and 1244(1)(a-d) of the Michigan Insurance Code (Code), MCL 500.1239(1)(a), 500.1239(2)(e), and 500.1244(1)(a-d).

Respondent replied to the NOSC and sought to resolve the matter short of an administrative hearing. DIFS and Respondent entered into a Settlement Agreement that was signed by Respondent on April 26, 2019, and by the Chief Deputy Director on April 30, 2019.

In the Settlement Agreement, Respondent admitted to violating Sections 1206(5) and 1238(1) of the Code, MCL 500.1206(5) and 500.1238(1), providing justification for sanctions under Sections 1239(1)(a), 1239(2)(e)¹, and 1244(1)(a-d) of the Michigan Insurance Code (Code), MCL 500.1239(1)(a), 500.1239(2)(e),

¹ Formally, Section 1239(1)(b) of the Code, MCL 500.1239(1)(b), prior to May 21, 2020

and 500.1244(1)(a-d). Pursuant to the Settlement Agreement, Respondent agreed to pay a market conduct fee of \$2,500.00. Respondent was to pay the market conduct fee by May 31, 2019.

On January 23, 2020, DIFS Staff filed a Motion for Default Due to Breach of Settlement Agreement and Director's Order to Suspend License and Pay Enhanced Market Conduct Fee. Respondent did not file a reply to the motion. On February 6, 2020, the Director issued an Order suspending Respondent's insurance producer license and requiring the payment of an enhanced \$5,000.00 market conduct fee, no later than March 9, 2020. The Order also indicated that failure to pay the enhanced market conduct fee is a violation of a Director's Order, sanctionable under Section 1239(2)(e)¹ of the Code, MCL 500.1239(2)(e) and would result in further enforcement action to revoke Respondent's insurance producer license. A Final Invoice was sent to the Respondent on October 14, 2020. Respondent has not paid the enhanced market conduct fee.

On February 16, 2021, 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. Based upon the Motion and the terms of the Order, the Director makes the following Findings of Fact and Conclusions of Law.

II. Findings of Fact and Conclusions of Law

1. On February 6, 2020, the Director issued an Order suspending Respondent's insurance producer license and requiring Respondent to pay an enhanced market conduct fee of \$5,000.00 within 30 days of the date of the DIFS' invoice.
2. Respondent has not paid the market conduct fee.
3. The market conduct fee was due no later than March 9, 2020.
4. The Order also indicated that failure to pay the enhanced market conduct fee is a violation of a Director's Order, sanctionable under Section 1239(2)(e) of the Code, MCL 500.1239(2)(e) and would result in further enforcement action to revoke Respondent's insurance producer license.
5. DIFS has sent a Final Invoice to Respondent via mail and email to the address maintained on file and provided by Respondent.
6. DIFS has made several attempts to procure payment through correspondence via Respondent's email.
7. Respondent is in violation of a Director's Order and has given cause for sanctions under Section 1239(2)(e) of the Code, MCL 500.1239(2)(e).
8. Respondent has received notice and has been given an opportunity to respond and appear and has not responded nor appeared.

III. Order

Based upon 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. Pursuant to MCL 500.1206(5), 500.1238(1), 500.1239(1)(a), 500.1239(2)(e), and 500.1244(1)(a-d), Respondent's resident insurance producer license (System ID No. 0725769) is **REVOKED**.

Anita G. Fox, Director
For the Director:



Randall S. Gregg, Senior Deputy Director