

**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. 18-15431

Petitioner,

v

Saad Jamoua, Jr.

System ID No. 0776025

Respondent.

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**Issued and entered
on September 1, 2020
by Randall S. Gregg
Senior Deputy Director**

ORDER

I. Background

Saad Jamoua, Jr. (Respondent) was a licensed resident insurance producer. On January 16, 2019, The Department of Insurance and Financial Services (DIFS) mailed a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent had violated Sections 1208a, 2003, 2005(a), 2018, and 2271(a) and (b) of the Code, MCL 500.1208a, 500.2003, 500.2005(a), 500.2018, and 2271(a) and (b), and has committed acts under the Code that provide justification for the Director to order fines and licensing sanctions according to Sections 1239(1)(b), (e), (g), and (h) and 1244(1)(a-d) of the Code, MCL 500.1239(1)(b), (e), (g), and (h) and 500.1244(1)(a-d). (Code sections referenced are prior to the amendments effective May 21, 2020.)

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 March 27, 2019, and by the Chief Deputy Director on March 29, 2019.

In the Settlement Agreement, Respondent admitted to violating Sections 1208a, 2003, 2005(a), 2018, and 2271(a) and (b) of the Code, MCL 500.1208a, 500.2003, 500.2005(a), 500.2018, and 2271(a) and (b), and that he committed acts under the Code that provide justification for the Director to order fines and

licensing sanctions according to Sections 1239(1)(b), (e), (g), and (h) and 1244(1)(a-d) of the Code, MCL 500.1239(1)(b), (e), (g), and (h) and 500.1244(1)(a-d) (Code sections referenced are prior to the amendments effective May 21, 2020). Pursuant to the Settlement Agreement, Respondent agreed to pay a market conduct fee of \$4,000.00 by submitting ten (10) monthly payments of \$400.00, each by the due date listed on the payment invoices.

Respondent's resident insurance producer license has since lapsed for failure to maintain continuing education requirement.

On August 5, 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 (Motion). The Motion was served to Respondent at his current mailing address by regular and certified mail and to his email address of record. DIFS received confirmation of successful email delivery of the Motion on August 5, 2020.

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 Settlement Agreement, the Director makes the following Findings of Fact and Conclusions of Law.

II. Findings of Fact and Conclusions of Law

1. In the Settlement Agreement, Respondent admitted to violating Sections 1208a, 2003 , 2005(a), 2018, and 2271(a) and (b) of the Code, MCL 500.1208a, 500.2003, 500.2005(a), 500.2018, and 2271(a) and (b), and that he committed acts under the Code that provide justification for the Director to order fines and licensing sanctions according to Sections 1239(1)(b), (e), (g), and (h) and 1244(1)(a-d) of the Code, MCL 500.1239(1)(b), (e), (g), and (h) and 500.1244(1)(a-d) (Code sections referenced are prior to the amendments effective May 21, 2020).
2. Pursuant to the Settlement Agreement, Respondent agreed to pay a market conduct fee of \$4,000.00 by submitting ten (10) monthly payments of \$400.00, each due by the date indicated on the individual payment invoices.
3. Respondent has not paid any portion of the market conduct fee.
4. The market conduct fee payments were due by the date indicated on each payment invoice, the last being due no later than January 31, 2020, with additional time provided to Respondent as a courtesy.
5. Pursuant to paragraph 7 of the Settlement Agreement, Respondent agreed that failure to pay the market conduct fee as set forth shall result in a suspension of all licenses or registrations held by Respondent.
6. Pursuant to paragraph 8 of the Settlement Agreement, Respondent agreed that failure to pay the market conduct fee within 16 months of the execution of the Settlement Agreement would result in the fee increasing to \$8,000.00 and revocation of all licenses held by Respondent.
7. DIFS has sent Final Notices to Respondent via mail to the address maintained on file for Respondent.

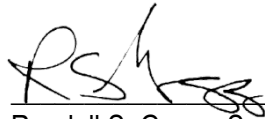
8. Respondent is more than 15 months overdue on the market conduct fee payment issued pursuant to the Settlement Agreement.
9. Respondent is in breach of a material term of his Settlement Agreement and has provided justification for license suspension pursuant to paragraph 7 of the Settlement Agreement and an enhanced market conduct fee pursuant to paragraph 8 of the Settlement Agreement.
10. 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. Petitioner's Motion for Default is **granted**.
2. The monetary penalty of a \$4,000.00 market conduct fee referenced in paragraph 6 of his Settlement Agreement is immediately enhanced for violation of a material term of the Settlement Agreement. Respondent is now **ORDERED** to pay a **market conduct fee** of \$8,000.00. Payment shall be due by the date identified on DIFS' invoice that will be sent to Respondent upon entry of this Order.
3. Pursuant to Section 1239(7) of the Code, MCL 500.1239(7), Respondent's insurance producer license (System ID No. 0776025) is **SUSPENDED** until Respondent pays the enhanced market conduct fee identified in paragraph 2 of this Order.
4. Failure to pay the enhanced market conduct fee by the due date specified in the invoice shall constitute a violation of a Director's Order in violation of Section 1239(2)(e) of the Code, MCL 500.1239(2)(e), and will result in further administrative actions resulting in all sanctions permitted under law, including, but not limited to, revocation of the Respondent's insurance producer license.

Anita G. Fox, Director
For the Director:



Randall S. Gregg, Senior Deputy Director