

STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES
Before the Director of the Department of Insurance and Financial Services

In the matter of:

Raghad Matti
System ID No. 0237053,

Enforcement Case No. 20-16105

LA Insurance Agency XXXVIII
System ID No. 0023766,

Respondents.

_____ /

Issued and entered
on May 4, 2021
by Randall S. Gregg
Senior 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 Senior Deputy Director finds and concludes that:

1. The Senior Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation 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.*
2. Respondent LA INSURANCE AGENCY XXXVIII (System ID No. 0023766) (LA 38) is a licensed resident insurance producer agency with qualifications in casualty and property. Its principal place of business is located at 687 University Drive, Pontiac Michigan 48342.
3. Respondent RAGHAD MATTI (System ID No. 0237053) (Matti) is a licensed resident insurance producer with qualifications in casualty and property who was employed by LA 38 as an insurance producer and Designated Responsible Licensed Producer (DRLP) during the time period relevant to this action.
4. Matti and LA 38 are collectively herein referred to as Respondents.
5. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
6. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
7. All applicable provisions of the APA have been met.

8. Respondents neither admit nor deny the allegations contained in the Notice of Opportunity to Show Compliance (NOSC) nor the findings contained in this Order set forth below, but have agreed to the entry of this Order to fully resolve the above-captioned enforcement case.
9. Based on its investigation of the above-captioned enforcement case, DIFS finds as follows:
 - a. LA 38 either sells or sold a Driven Solutions roadside assistance product in conjunction with the sale of DIFS-approved insurance policies. The Driven Solutions product was an optional ancillary one, and its purchase was not required to purchase a DIFS-approved insurance policy during the timeframe relative to this action.
 - b. Respondents Matti and LA 38 misled customer DD by: (1) providing her quotes for automobile insurance that actually represented the cost of both automobile insurance and a Driven Solutions roadside assistance product; (2) failing to fully inform or explain to her that they were soliciting and/or selling her an optional product that was not required for the purchase of automobile insurance; (3) including Driven Solutions product paperwork in the packet of papers requiring her signature even though the purchase of the product was never discussed with or agreed to by her; and (4) providing quote forms to her that made it falsely appear as if there was no option for a payment plan policy that did not include a Driven Solutions roadside assistance product.
 - c. As a DRLP for LA 38, Respondent Matti either knew or should have known that both LA 38 and he were engaged in Code violations by selling customer DD an ancillary Driven Solutions roadside assistance product without obtaining her informed consent to the sale.
10. Based on the foregoing findings, the Chief Deputy Director finds and concludes that Respondents have committed acts under the Code that provide justification for the Director to order licensing sanctions according to Sections 1239(1)(b), (1)(c), (1)(g), and (5) and 1244(1)(a-d) of the Code, MCL 500.1239(1)(b), (1)(c), (1)(g) and (5), and 500.1244(1)(a-d).

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

1. The Stipulation to Entry of Order and all agreements contained therein are accepted in their entirety.
2. Respondent LA 38 shall pay a civil fine of \$1,100.00 within 30 days of the issuance of a DIFS invoice for said amount. The invoice must accompany the payment. Additionally, LA 38 shall provide restitution in the form of a refund to customer DD for the full price of the Driven Solutions ancillary roadside assistance product cited above. The refund must be provided to DD within 30 days of the issuance of this Order. LA 38 shall provide a full accounting to DIFS within 45 days of the signing of the Order as to its compliance with restitution, including the amount and date paid.
3. Respondent Raghad Matti shall pay a civil fine of \$1,100.00 within 30 days of the issuance of a DIFS invoice for said amount. The invoice must accompany the payment.

4. Within 30 days of the execution of this agreement, LA 38 shall develop and implement a written internal procedure with respect to the sale of ancillary products in conjunction with or contemporaneously with insurance. The goal of the procedure is to ensure that the Code is not violated in the future in the manner described above and that the informed consent of the customer has been obtained prior to the sale of the ancillary product. The procedure must communicate to LA 38 staff that the sale of an insurance policy cannot be conditioned upon the purchase of an ancillary product.

5. The Senior Deputy Director retains jurisdiction over the matters contained herein and has the authority to issue such further orders 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 constitutes an independent violation of the Code and may result in the commencement of additional proceedings that could impose additional penalties, including revocation of licensure.



Randall S. Gregg
Senior Deputy Director

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STIPULATION TO ENTRY OF ORDER

Petitioner, DIFS, and Respondents, Raghad Matti and LA Insurance Agency XXXVIII, stipulate to the following:

1. On or about September 21, 2020, DIFS issued a Notice of Opportunity to Show Compliance (NOSC) in the above-captioned enforcement case. DIFS alleged that Respondents engaged in actions in violation of Section 1207(1) of the Code, MCL 500.1207(1) and acts that gave rise to sanctions pursuant to Sections 1239(1)(b), (1)(c), (1)(g), and (5) of the Code, MCL 500.1239(1)(b), (1)(c), (1)(g), and (5). DIFS' factual assertions were essentially that Respondents sold an ancillary roadside assistance product without obtaining the informed consent of the customer.
2. Without admitting to any of the allegations set forth above, Respondents have reviewed and voluntarily consented to the entry of the Order Accepting Stipulation that will be entered in this enforcement case.
3. Respondents understand that this Stipulation will be presented to the Senior Deputy Director for approval and that the Senior Deputy Director may or may not approve and adopt it. Respondents further agree that the Senior Deputy Director has jurisdiction and authority to approve and adopt this Stipulation.
4. Respondents understand that, by agreeing to this Stipulation to Entry of Order, they are waiving the right, pursuant to the Code, the rules promulgated thereto, and the Michigan Administrative Procedures Act of 1969 (APA), to a hearing before an administrative law judge, at which DIFS would be required to prove the charges set forth by presentation of evidence and legal authority and at which Respondents would be entitled to appear, to cross-examine all witnesses presented by DIFS, and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.
5. Respondents waive any objection to the Director deciding this case following a Michigan Office of Administrative Hearings and Rules hearing in the event that the Stipulation to Entry of Order is not approved.

6. The parties agree that the Stipulation to Entry of Order represents the full and complete agreement of the parties in this matter and, in the event that the Stipulation is accepted by the Senior Deputy Director, shall completely resolve the enforcement case captioned above.



Raghad Matti, Respondent
System ID No. 0237053

4-9-2021

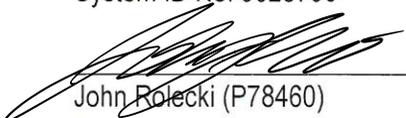
Date



LA Insurance Agency XXXVIII, Respondent
System ID No. 0023766

4-9-2021

Date



John Rolecki (P78460)
Attorney for Respondents

4/22/2021

Date

Gary Grant (P76261)
DIFS Staff Attorney

Date

6. The parties agree that the Stipulation to Entry of Order represents the full and complete agreement of the parties in this matter and, in the event that the Stipulation is accepted by the Senior Deputy Director, shall completely resolve the enforcement case captioned above.

Raghad Matti, Respondent
System ID No. 0237053

Date

LA Insurance Agency XXXVIII, Respondent
System ID No. 0023766

Date

John Rolecki (P78460)
Attorney for Respondents

Date



Gary Grant (P76261)
DIFS Staff Attorney

Date