

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

In the matter of:

Saif Saad Al-Khabazi
System ID No. 0900094,

Enforcement Case No. 20-16103

Allen Selim
System ID No. 0653270,

LA Insurance Agency 178, LLC
System ID No. 0090818,

Respondents.

_____ /

Issued and entered
on July 23, 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:

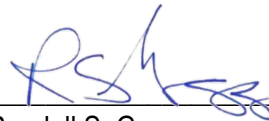
1. The Senior Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation pursuant to the Michigan Administrative Procedures Act of 1969 (APA), as amended, MCL 24.201 *et seq.*, and the Michigan Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. Respondent LA INSURANCE AGENCY 178, LLC (System ID No. 0090818) (LA 178) is a licensed resident insurance producer agency with qualifications in casualty and property. Its principal place of business is located at 7138 Sashabaw Rd., Clarkston, MI 48348
3. Respondent SAIF SAAD AL-KHABAZI (System ID No. 0900094) is a licensed resident insurance producer with qualifications in casualty and property who was employed by LA 178 as an insurance producer during the time period relevant to this action.
4. Respondent ALLEN SELIM (System ID No. 0653270) is a licensed resident insurance producer with qualifications in casualty and property who was employed by LA 178 as an insurance producer and a Designated Responsible Licensed Producer (DRLP) during the time period relevant to this action.
5. Al-Khabazi, Selim, and LA 178 are collectively herein referred to as Respondents.
6. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.

7. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
8. All applicable provisions of the APA have been met.
9. 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.
10. Based on its investigation of the above-captioned enforcement case, DIFS finds as follows:
 - a. LA 178 either sells or sold Nation Safe Drivers (NSD) travel club memberships in conjunction with the sale of DIFS-approved insurance policies. An NSD travel club membership was an optional ancillary product with respect to the insurance transactions that are the subject of this action.
 - b. Respondent Al-Khabazi misled customers NM and GB by any or all of the following methods: (1) failing to fully inform or explain to them that he was soliciting and/or selling them an optional NSD club membership that was not required for the purchase of automobile insurance; (2) including NSD club membership paperwork in the packet of papers requiring their signature even though the purchase of the product was never discussed with or agreed to by them; (3) falsely informing them that there were no insurance policies available for purchase that provided their desired coverage at a lower cost; (4) providing quote forms to them that made it falsely appear as if there was no option for an installment-plan policy that did not include an NSD club membership; and (5) falsely indicating to them that the purchase of the NSD club membership was mandatory.
 - c. Respondent LA 178's appointment with Progressive was canceled during the time period relevant to this action; however, its agents continued to sell Progressive policies after the cancellation.
 - d. Both Respondents LA 178 and Selim knew or should have known that the Code violations described above were occurring.
11. Based on the foregoing findings, the Senior 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 178 shall pay a civil fine of \$1000.00 within 30 days of the issuance of a DIFS invoice for said amount. The invoice must accompany the payment. Additionally, to the extent that it has not already been provided, LA 178 shall provide a refund to customers NM and GB for the full cost of the

- NSD club products that they were sold in conjunction with the insurance transactions described above. This restitution must be provided within 30 days of the issuance of this Order and LA 178 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 Allen Selim shall pay a civil fine of \$750.00 within 30 days of the issuance of a DIFS invoice for said amount. The invoice must accompany the payment.
 4. Respondent Al-Khabazi shall pay a civil fine of \$2,200.00 within 30 days of the issuance of a DIFS invoice for said amount. The invoice must accompany the payment.
 5. Within 30 days of the execution of this order, LA 178 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 178 staff that the sale of an insurance policy cannot be conditioned upon the purchase of an ancillary product.
 6. 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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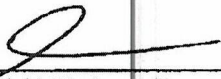
STIPULATION TO ENTRY OF ORDER

Petitioner, DIFS, and Respondents, Saif Saad Al-Khabazi, Allen Selim, and LA Insurance Agency 178, LLC, stipulate to the following:

1. On or about July 24, 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 Sections 1207(1) and 1208a(1) of the Code, MCL 500.1207(1) and 500.1208a(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 Respondent Al-Khabazi sold NSD club memberships to customers without obtaining their informed consent and that LA 178 producers sold and solicited Progressive policies during a time period when LA 178 did not possess an appointment with LA 178. Additionally, DIFS asserted that both Respondents Selim and LA 178 knew or should have known that Al-Khabazi was committing acts in violation of the Code.
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,

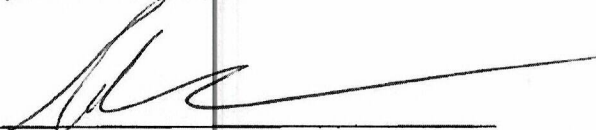
and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

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.



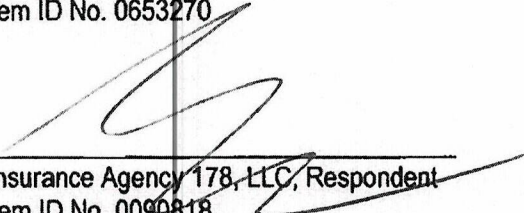
Saif Saad Al-Khabazi, Respondent
System ID No. 0900094

07/15/2021
Date




Allen Selim, Respondent
System ID No. 0653270

07.15.2021
Date




LA Insurance Agency 178, LLC, Respondent
System ID No. 0090818

7/15/21
Date



John Rolecki (P78460)
Attorney for Respondents

7/19/2021
Date



Gary Grant (P70261)
DHS Staff Attorney

July 22, 2021
Date