

STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Chantjuan Manns (aka Tae Manns)
Unlicensed

Enforcement Case No. 19-15757

Respondent.

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Issued and entered
on January 6th, 2020
by **Randall S. Gregg**
Senior Deputy Director

**ORDER TO CEASE AND DESIST WITH STATEMENT OF FINDINGS
AND NOTICE OF OPPORTUNITY FOR HEARING**


Pursuant to Section 251 of the Michigan Insurance Code (Code), MCL 500.251, and after reviewing evidence of the conduct described in the attached Statement of Findings, and

WHEREAS, the Director of the Department of Insurance and Financial Services finds that immediate action is necessary and appropriate in the public interest for the protection of the public health, safety, and welfare, and consistent with the purposes fairly intended by public policy and provisions of the Code,

IT IS THEREFORE ORDERED THAT:

1. The Respondent shall immediately **CEASE AND DESIST** from all activities in violation of the Code as described in the Statement of Findings.
2. A copy of this Order shall be immediately served upon Respondent. As to any Respondent, this Order shall be effective upon the date of service.
3. Respondent will have 30 calendar days after the service of this Order to contest it by requesting a hearing. Within 10 calendar days after receiving the request, the hearing process shall commence. This Order shall remain in effect until further order of the Director. Any request for a hearing should be addressed to the Department of Insurance and Financial Services, Attention: Randie Swinson, Hearings Coordinator, P.O. Box 30220, Lansing, MI 48909-7720 or faxed to 517-284-8843.
4. Any such hearing held shall address the following issues:
 - a. The facts set forth in the Statement of Findings.

- b. The continuation of the Order to Cease and Desist.
 - c. Restitution to be paid by the Respondent.
5. If a hearing is requested, an administrative law judge from the Michigan Office of Administrative Hearings and Rules shall preside over any such hearing.
 6. The Director retains jurisdiction of the matters contained herein and the authority to issue such further Orders as shall be deemed just, necessary, and appropriate.
 7. Pursuant to Section 251(6) of the Code, MCL 500.251(6), a person who violates or otherwise fails to comply with an Order to Cease and Desist is subject to one or more of the following:
 - a. Payment of a civil fine of not more than \$1,000 for each violation not to exceed an aggregate civil fine of \$30,000. However, if the person knew or reasonably should have known the conduct was in violation of the cease and desist order, the person shall be subject to a civil fine of not more than \$25,000 for each violation not to exceed an aggregate civil fine of \$250,000.
 - b. Suspension or revocation of the person's license or certificate of authority.
 - c. Complete restitution, in the form, amount, and within the period determined by the Director, to all persons in Michigan damaged by the violation or failure to comply.



Randall S. Gregg
Senior Deputy Director

Dated: 1/6/2020

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STATEMENT OF FINDINGS

1. Pursuant to Section 251(1) of the Insurance Code, MCL 500.251(1), the Director is empowered to issue a cease and desist order if the Director finds any of the following:
 - (a) A person is conducting transactions of insurance for which a certificate of authority is required by this act without having obtained a certificate of authority.
 - (b) A person is acting as an insurance agent, solicitor, adjuster, or counselor without a license as required by this act.
 - (c) A person is engaged in an act or practice in the business of insurance for which authority from or notification to the commissioner is required by this act and the person has not received authority or given notification.
 - (d) A person authorized to engage in the business of insurance under this act is engaged in conduct that presents an immediate danger to public health, safety, or welfare. MCL 500.251(1).
2. Under Section 1201a(1) of the Code, MCL 500.1201a(1), it is a violation for a person to negotiate, sell or solicit insurance in this state for any line of insurance without first obtaining a license or qualification for that line.
3. Section 1201 of the Code, MCL 500.1201, defines "negotiate," "sell" and "solicit" as follows:
 - a. "Negotiate" means the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms, or conditions of the contract, if the person engaged in that act either sells insurance or obtains insurance from insurers for purchasers. MCL 500.1201(m).
 - b. "Sell" means to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurance company. MCL 500.1201(n).

- c. "Solicit" means attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular company. MCL 500.1201(o).
4. Under Section 1208a of the Code, an insurance producer shall not act as an agent of an insurer unless the insurance producer becomes an appointed agent of that insurer. MCL 500.1208a(1).
5. DIFS staff received information about possible unlicensed activity by Chantjuan Manns, aka "Tae Manns" (Respondent). A review of DIFS' records revealed that Respondent is not licensed under the Code. As stated in detail below, DIFS' investigation determined that Chantjuan Manns and "Tae Manns" are the same person:
 - a. The Michigan Department of State (MDOS) provided DIFS staff with a copy of Chantjuan Mann's photo ID. The photograph on the ID matched the photograph on "Tae Mann's" Facebook page.
 - b. MDOS provided DIFS staff with copies of the title and registration for Chantjuan Mann's automobile. The owner's address on those documents matches the address on his photo ID.
 - c. On July 30, 2019, Respondent, as "Tae Manns" posted an advertisement for a business entity named Mother's Touch Cleaning.
 - d. The address provided on the Facebook page for Mother's Touch Cleaning matches the address on Chantjuan Mann's photo ID.
 - e. Respondent exchanged a fraudulent certificate of insurance near a place in Flint, Michigan identified as "Raspberries"; there is a bar named "Raspberries Rhythm Bar & Grill" near the address listed on Chantjuan Mann's photo ID.
6. After an investigation, DIFS staff concluded that Respondent has engaged in activities regulated by the Code, without the requisite license, and has therefore violated the insurance laws of this state.
7. At all relevant times, Respondent maintained a Facebook profile under the name "Tae Manns." A review of DIFS' records revealed that no one with the names "Chantjuan Manns" or "Tae Manns" is licensed as an insurance producer in Michigan under the Code. Accordingly, DIFS staff determined that Respondent was not licensed to negotiate, sell or solicit insurance in Michigan.
8. On July 22, 2019, the Olivier-VanDyk Agency received a telephone call from an individual, E.D., who asked that the agency look up her automobile insurance policy. The policy number provided by E.D., PA 9594918, belonged to a client of the Olivier-VanDyk Agency rather than E.D.
9. E.D. purchased the insurance from a man going by the name of "Tae Manns" whom she found on Facebook. As discussed above, "Tae Manns" is an alias of Respondent Chantjuan Manns.
10. E.D. and Respondent exchanged the following, via text message or other messaging medium, on July 11, 2019:
 - a. E.D.: That would be great!

- b. Respondent: When do you need it?
 - c. E.D.: Hoping for Saturday
 - d. Respondent: Ok, are you getting a new car or renewing your tags?
 - e. E.D.: Renewing my tags
 - f. Respondent: Ok it'll be \$100 for 6 months
 - g. E.D.: Okay! I can come see you Saturday around 9?
 - h. Respondent: Send me a picture of the old registration and new address if it changed.
11. E.D. and Respondent exchanged the following messages on July 18, 2019:
- a. E.D.: On my way coming from [Redacted].
 - b. Respondent: Ok
 - c. E.D.: I'm at raspberries they're closed
 - d. Respondent: I'm walking over now
12. This last message included a photograph of the following purported certificate of no-fault automobile insurance:
- a. Insurer: Frankenmuth Mutual Insurance;
 - b. Policy Number: PA 9594918;
 - c. Policy Term: July 18, 2019 through January 18, 2020;
 - d. Agency: Olivier-VanDyk Agency;
 - e. Insured: E.D.;
 - f. Vehicle: 2009 Pontiac Torrent.
13. Following this text message exchange, on July 18, 2019, E.D. met Respondent in person and gave him \$100. Respondent provided E.D. with the above-stated fraudulent certificate of no-fault automobile insurance.
14. Through its investigation, DIFS staff learned that Respondent, under "Tae Manns," posted several advertisements for automobile insurance on Facebook. On July 2, 11 and 15, 2019, Respondent posted an advertisement stating "[r]enewing tags at the SOS, need car insurance? Inbox me!"

15. DIFS staff requested information from MDOS. MDOS provided information showing that other individuals had used the same policy number, issued by the same insurance agency, on several occasions.
16. MDOS identified 13 separate instances in which certificates using policy number PA 9594918 had been fraudulently submitted as proofs of insurance. Each of these certificates include the following identical information:
 - a. Insurer: Frankenmuth Mutual Insurance;
 - b. Policy Number: PA 9594918;
 - c. Agency: Olivier-VanDyk Agency.
17. In addition, to these similarities, each of the 13 certificates were issued in June, July or August of 2019 and most of them were issued to insureds who lived in the Flint, Michigan area.
18. Respondent conferred directly with E.D., a prospective purchaser of automobile insurance concerning the terms and conditions of insurance, thereby negotiating insurance pursuant to Section 1201(m) of the Code, MCL 500.1201(m). Because Respondent does not have a license for that qualification, his actions violated Section 1201a(1) of the Code, MCL 500.1201a(1).
19. Respondent accepted \$100 from E.D. in exchange for a contract of insurance, thereby selling insurance pursuant to Section 1201(n) of the Code, MCL 500.1201(n). Because Respondent does not have a license for that qualification, his actions violated Section 1201a(1) of the Code, MCL 500.1201a(1).
20. Respondent attempted to sell or otherwise urged E.D. to purchase a particular kind of insurance, in this case automobile insurance, thereby soliciting the sale insurance pursuant to Section 1201(o) of the Code, MCL 500.1201(o). Because Respondent does not have a license for that qualification, his actions violated Section 1201a(1) of the Code, MCL 500.1201a(1).
21. Moreover, by placing advertisements on Facebook, Respondent attempted to sell or otherwise urge the sale of automobile insurance, thereby soliciting the sale insurance pursuant to Section 1201(o) of the Code, MCL 500.1201(o). Because Respondent does not have a license for that qualification, his actions violated Section 1201a(1) of the Code, MCL 500.1201a(1).
22. In addition to the policy Respondent fraudulently sold to E.D., Respondent appears to have sold 12 other policies as evidenced by the fact that MDOS found 12 policies that all contain the same agency, policy number and insurer that were all sold during the same time period, June through August 2019. In addition, most of the policies were sold to persons or entities in the Flint, Michigan area. Because this constitutes the sale of insurance under Section 1201(n) of the Code, MCL 500.1201(n), and Respondent does not have a license for that qualification, he has violated Section 1201a(1) of the Code, MCL 500.1201a(1).
23. Respondent committed fraudulent insurance acts, violating Section 4503(g)(i) of the Code, MCL 500.4503(g)(i), when he diverted E.D.'s funds, in connection with the transaction of insurance, by

- selling her a fraudulent insurance policy for \$100 and failing to apply that \$100 towards insurance policies.
24. By attempting to divert funds, in connection with the transaction of insurance, from the public in exchange for fraudulent insurance policies, Respondent violated Section 4503(g)(i) of the Code, MCL 500.4503(g)(i).
 25. Based on these findings, Respondent is acting as an insurance producer, solicitor, adjuster, or counselor without a license as required by the Code.
 26. Based on these findings, Respondent is engaged in an act or practice in the business of insurance for which authority from or notification to the Director is required by the Code, and Respondent has not received authority or given notification.
 27. Respondent is subject to sanctions under Sections 150 and 1244 of the Code, MCL 500.150 and MCL 500.1244. Furthermore, if the above facts are found to be true, Respondent's violation of Section 4503(g)(i) of the Code may also be considered a felony under Section 4511 of the Code, MCL 500.4511.