

STATE OF MICHIGAN  
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Before the Director of the Department of Insurance and Financial Services

In the matter of:

**MARIA HOLGUIN**  
System ID No. 0581301

Enforcement Case No. 17-15025

Respondent.

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Issued and entered

on May 21, 2018  
by Teri L. Morante  
Chief 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 Chief Deputy Director finds and concludes that:

1. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of DIFS.
2. The Chief Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation in this proceeding 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.*
3. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
4. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
5. All applicable provisions of the APA have been met.
6. At all relevant times, Respondent Maria Enriqueta Holguin (System ID No. 0581301) (Respondent) was a licensed resident insurance producer, with qualifications in accident and health, life, casualty, and property. Respondent has been licensed since June 19, 2013.
7. On or about March 27, 2017, Respondent's appointment with State Farm was cancelled for cause.
8. The basis for the cancellation was an audit conducted by State Farm audit consultant Tim Pantaleone (Pantaleone).

9. During an interview with Pantaleone, Respondent admitted that she knowingly entered inaccurate prior time insured, inaccurate prior bodily injury (BI) limits, and inaccurate purchase dates on applications for auto insurance.
10. Respondent admitted to Pantaleone that she would alter this information to lower the customers' premiums.
11. Pantaleone found that Respondent submitted 30 applications with purchase dates of January 1 of the year prior to the vehicle's model year and 9 applications with prior time insured or BI limits that conflict with the information from the associated prior insurance reports.
12. Respondent also admitted to Pantaleone that she submitted false EOI documents for AAA and Arrowhead applications, and that she did so approximately twice a month. Respondent Holguin admitted to Pantaleone that she used the falsified EOI documents to, "help the customer, to make the sale, to get them the insurance they wanted. Bring business."
13. Nick Grojean, State Farm counsel, told DIFS investigators that intentionally entering false information as described above generates a lower rate than is actuarially appropriate, and that accurate data helps match the price to the risk.
14. As a licensee, Respondent knew or had reason to know that Section 4503(b) of the Code, MCL 500.4503(b), provides that a fraudulent insurance act includes acts or omissions committed by any person who knowingly, and with an intent to injure, defraud, or deceive prepares or assists, abets, solicits, or conspires with another to prepare or make an oral or written statement that is intended to be presented to or by any insurer in connection with, or in support of, any application for the issuance of an insurance policy, knowing that the statement contains any false information concerning any fact or thing material to the application.
15. Respondent committed acts prohibited under Section 4503(b) of the Code by knowingly preparing and presenting applications for insurance that contained inaccurate information to generate lower rates from the insurer, as set forth above.
16. As a licensee, Respondent knew or had reason to know that Section 2018 of the Code, MCL 500.2018, provides that an unfair method of competition and an unfair or deceptive act or practice in the business of insurance includes making false or fraudulent statements or representations on or relative to an application for an insurance policy for the purpose of obtaining a fee, commission, money, or other benefit from an insurer, agent, broker, or individual.
17. Respondent violated Section 2018 of the Code by knowingly submitting applications for insurance that contained inaccurate information to generate lower rates and sell policies, as set forth above.
18. Based on the foregoing, Respondent has committed acts under the Code that provide justification for the Director to order licensing sanctions according to Sections 1239(1)(b), (1)(e), (1)(g), (1)(h) and 1244(1)(a-d) of the Code, MCL 500.1239(1)(b), 500.1239(1)(e), 500.1239(1)(g), 500.1239(1)(h), 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:**

19. Respondent cease and desist from operating in a manner that violates the Code.
20. Respondent cease and desist from all insurance activity.
21. Respondent's insurance producer license (System ID No. 0581301) is revoked.
22. The Chief Deputy Director retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) 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 may result in the commencement of additional proceedings.



Teri L. Morante  
Chief Deputy Director

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**STIPULATION TO ENTRY OF ORDER**

Petitioner Department of Insurance and Financial Services (DIFS) and Respondent Jacob Holguin, (System ID No. 0649758) (Respondent) stipulate to the following:

1. Respondent is a licensed resident producer in the state of Michigan with qualifications in accident and health, life, casualty, and property. She has been licensed since June 19, 2013, and her license is currently suspended for failure to meet educational requirements.
2. On or about November 16, 2017, the Department of Insurance and Financial Services (DIFS) served Respondent with a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent violated provisions of the Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
3. Specifically, the NOSC contained allegations that Respondent violated Sections 4503(b) and 2018 of the Code, MCL 500.4503(b) and MCL 500.2018.
4. By engaging in the actions alleged in the NOSC, Respondent Holguin has provided justification for sanctions pursuant to Section 1239(1) of the Code, MCL 500.1239(1), including revocation of licensure.
5. Respondent and DIFS conferred for the purpose of resolving this matter.
6. Respondent waives the right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
7. All parties have complied with the procedural requirements of the APA and the Code.
8. Respondent agrees that she will cease and desist from operating in a manner that violates the Code, and from all insurance activity.
9. Respondent agrees that her resident insurance producer license (System ID No. 0581301) shall be revoked.

10. Respondent has had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.
11. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
12. Respondent understands and agrees that the Chief Deputy Director may, in her sole discretion, decide to accept or reject this Stipulation to Entry of Order. If the Chief Deputy Director accepts the Stipulation to Entry of Order, Respondent waives the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation and Requiring Compliance and Payment of Fines. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondent waives any objection to the Director holding a formal administrative hearing and making a decision after such hearing.

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Maria Holguin  
System ID No. 0581301


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Date

DIFS Staff approve this Stipulation and recommend that the Chief Deputy Director accept it and issue an Order Accepting Stipulation.

  
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Erik A. Grill (P64713)  
DIFS Staff Attorney

  
\_\_\_\_\_  
Date

10. Respondent has had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.
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Maria Holguin  
System ID No. 0581301

4/18/2018  
Date

DIFS Staff approve this Stipulation and recommend that the Chief Deputy Director accept it and issue an Order Accepting Stipulation.

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Erik A. Grill (P64713)  
DIFS Staff Attorney

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Date