

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

ONeil D. Swanson II
System ID No. 0077520

Enforcement Case No. 18-15260

Respondent.

_____ /

Issued and entered
on June 17, 2019
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. 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.*
2. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
3. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
4. All applicable provisions of the APA have been met.
5. ONeil D. Swanson (Respondent) is a licensed resident insurance producer with a limited life qualification, and his license is currently active.
6. Respondent neither admits nor denies the allegations contained in the Amended Notice of Opportunity to Show Compliance, nor the findings contained in this Order set forth below, but has agreed to the entry of this Order to fully resolve the above-captioned enforcement case.
7. Based on its investigation of the above-captioned case, DIFS finds as follows:
 - a. By failing to report the administrative actions taken against him to DIFS within 30 days after the final disposition of the matters, Respondent violated MCL 500.1247(1).

- b. By failing to report his criminal prosecution to DIFS within 30 days after the initial pretrial hearing date, Respondent violated MCL 500.1247(2).
- c. Respondent has provided justification for sanctions, pursuant to Sections 1239(1)(b) and 1244(1) of the Code, by failing to report the administrative actions taken against him by LARA, which ultimately led to the revocation of his mortuary science license, to DIFS within 30 days of the final disposition of the matters in accordance with 1247(1) of the Code, MCL 500.1247(1).
- d. Respondent has provided justification for sanctions, pursuant to Sections 1239(1)(b) and 1244(1) of the Code, by failing to report his criminal prosecution within 30 days after the initial pretrial hearing date in accordance with 1247(2) of the Code, MCL 500.1247(2).
- e. Respondent violated MCL 500.1238 by failing to notify the Director of any change in his mailing or electronic mail address within 30 days after the change.

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

- 1. Respondent Cease and Desist from operating in a manner that violates the Code.
- 2. Respondent Cease and Desist from all insurance activity.
- 3. Respondent's resident insurance producer license (System ID No. 0077520) is hereby REVOKED.
- 4. 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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DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

ONeil D. Swanson II
System ID No. 0077520

Enforcement Case No. 18-15260

Respondent.

_____ /

STIPULATION TO ENTRY OF ORDER

ONeil D. Swanson II (Respondent) stipulates to the following:

1. Respondent is a licensed resident insurance producer with a limited life qualification, and his license is currently active.
2. On or about April 26, 2019, the Department of Insurance and Financial Services (DIFS) served Respondent with an Amended 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 the following allegations:
 - a. By failing to report the administrative actions taken against him to DIFS within 30 days after the final disposition of the matters, Respondent violated MCL 500.1247(1).
 - b. By failing to report his criminal prosecution to DIFS within 30 days after the initial pretrial hearing date, Respondent violated MCL 500.1247(2).
 - c. Respondent has provided justification for sanctions, pursuant to Sections 1239(1)(b) and 1244(1) of the Code, by failing to report the administrative actions taken against him by LARA, which ultimately led to the revocation of his mortuary science license, to DIFS within 30 days of the final disposition of the matters in accordance with 1247(1) of the Code, MCL 500.1247(1).
 - d. Respondent has provided justification for sanctions, pursuant to Sections 1239(1)(b) and 1244(1) of the Code, by failing to report his criminal prosecution within 30 days after the initial pretrial hearing date in accordance with 1247(2) of the Code, MCL 500.1247(2).
 - e. Respondent violated MCL 500.1238 by failing to notify the Director of any change in his mailing or electronic mail address within 30 days after the change.
4. Respondent and DIFS conferred for the purpose of resolving this matter.

5. Respondent waived the right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
6. All parties have complied with the procedural requirements of the APA and the Code.
7. Respondent agrees that he will cease and desist from operating in a manner that violates the Code.
8. Respondent agrees that he will cease and desist from all insurance activity.
9. Respondent agrees that his resident insurance producer license (System ID No. 0077520) 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.

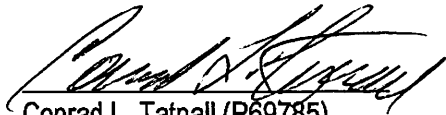


O'Neil D. Swanson II
System ID No. 0077520

6/11/19

Date

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



Conrad L. Tatnall (P69785)
DIFS Staff Attorney

6/11/19

Date