

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION
Before the Commissioner of Financial and Insurance Regulation

Office of Financial and Insurance Regulation,
Petitioner

v

Linda Belcher,
Respondent

Enforcement Case No. 09-7520

For the Petitioner:

Elizabeth Bolden
Office of Financial and Insurance Regulation
P.O. Box 30220
Lansing, MI 48909-7720

For the Respondent:

Linda Belcher


Issued and entered
this 21st day of July 2010
by Ken Ross
Commissioner

FINAL DECISION

I. Background

Linda Belcher (Respondent) is a licensed insurance producer authorized to transact the business of insurance in Michigan. In June 2009, the Office of Financial and Insurance Regulation (OFIR) received information from Stewart Title Company, a Michigan title insurance company, stating that Respondent had collected insurance premiums from a number of her customers but had failed to remit those premiums, as required, to Stewart Title. OFIR investigated the complaint and initiated a compliance action.

On April 20, 2010, OFIR issued an Administrative Complaint, Notice of Opportunity to Show Compliance, and Order for Hearing in this case which was sent to Respondent. The Administrative Complaint set forth detailed allegations that Respondent had failed to comply with sections 249 and 1239(1) of the Michigan Insurance Code, MCL 500.249 and 500.1239(1).

The Order for Hearing required Respondent to take one of the following actions within 21 days: agree to a resolution of the case, file an answer to the allegations stated in the Order with a statement that Respondent plans to attend the hearing, or request an adjournment. Respondent failed to take any of these actions.

On June 9, 2010, the Petitioner filed a Motion for Final Decision. Respondent did not file a reply to the motion. Given Respondent's failure to take one of the required actions, Petitioner's motion is granted. The factual allegations stated in the Administrative Complaint, being unchallenged, are accepted as true and are stated below.

II. Findings of Fact and Conclusions of Law

1. Respondent is a licensed resident insurance producer. She is also a partner in Guaranty Title Company, a licensed insurance agency.
2. Respondent represented Stewart Title Company and conducted title insurance business on Stewart Title's behalf. Respondent collected \$144,619.00 in insurance premiums for Stewart Title but failed to remit those premiums to Stewart as required by section 1207(1) of the Insurance Code.
3. On June 10 and June 26, 2010, OFIR sent written inquiries to Respondent requiring her to account for the title insurance transactions. Respondent failed to answer those inquiries as required by section 249 of the Insurance Code.
4. Based upon the conduct described above, the Commissioner concludes that Respondent has violated sections 249 and 1239(1) of the Insurance Code. These violations are grounds for ordering licensing sanctions under section 1244(1) of the Insurance Code.

III. Order

Based on the conduct described above, and in accordance with the above-cited provisions of the Michigan Insurance Code, it is ORDERED that the insurance producer license of Respondent is revoked.

A handwritten signature in black ink, appearing to be 'KR' with a long horizontal stroke extending to the right.

Ken Ross
Commissioner