

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

In the matter of:

**Office of Financial and Insurance Regulation,
Petitioner**

v

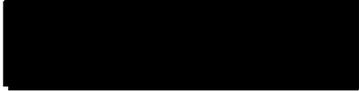
**Timothy Pitcher,
Respondent**

Enforcement Case No. 08-5517

For the Petitioner:

**Marlon Roberts
Office of Financial and Insurance Regulation
P.O. Box 30220
Lansing, MI 48909-7720**

For the Respondent:

Timothy Pitcher


**Issued and entered
this 28th day of January 2011
by Ken Ross
Commissioner**

FINAL DECISION

I. Background

Respondent Timothy Pitcher is a licensed resident insurance producer authorized to transact the business of insurance in Michigan. This matter concerns allegations that Respondent Pitcher failed to comply with a child support order, conduct which would make him ineligible to hold an insurance producer license under section 1239(1)(m) of the Michigan Insurance Code. In addition, Respondent failed to respond to multiple inquiries the Office of Financial and Insurance Regulation.

On October 12, 2010, Chief Deputy Commissioner Stephen Hilker issued an Order Referring Complaint for Hearing and Order to Respond in this case. The Order set forth detailed

allegations concerning the matter described above. The Order 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, file a statement that Respondent plans to attend the hearing or request an adjournment. Respondent failed to take any of these actions.

On December 22, 2010, Petitioner filed a Motion for Final Decision. Given Respondent's failure to take one of the required actions, Petitioner's motion is granted.

II. Findings of Fact and Conclusions of Law

1. At all times pertinent to this case, Respondent was a licensed resident Michigan insurance producer.
2. As a licensed insurance producer, Respondent knew or should have known that failing to comply with a child support order can result in the denial or revocation of an insurance producer license. Section 1239(1)(m) of the Michigan Insurance Code, MCL 500.1239(1)(m), provides:

The commissioner may place on probation, suspend, or revoke an insurance producer's license or may levy a civil fine under section 1244 or any combination of actions, and the commissioner shall refuse to issue a license under section 1205 or 1206a, for any 1 or more of the following causes:

* * *

(m) Failing to comply with an administrative or court order imposing a child support obligation.

2. Respondent further knew or had reason to know that section 249(a) of the Michigan Insurance Code provides:

For the purposes of ascertaining compliance with the provisions of the insurance laws of the state or of ascertaining the business condition and practices of an insurer or proposed insurer, the commissioner, as often as he deems advisable, may initiate proceedings to examine the accounts, records, documents and transactions pertaining to:

(a) Any insurance agent, surplus line agent, general agent, adjuster, public adjuster or counselor.

3. Respondent has failed to comply with an order for child support and has therefore violated section 1239(1)(m) of the Michigan Insurance Code.
4. Respondent has failed to answer inquiries from the Commissioner concerning his compliance with the child support order and has therefore violated section 249(a) of the Michigan Insurance Code.

III. Order

Based on the conduct described above, and in accordance with section 1239(1) of the Michigan Insurance Code, the insurance producer license of Respondent Timothy Pitcher is revoked.



Ken Ross
Commissioner