

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

Before the Commissioner of the Office of Financial and Insurance Regulation

In the Matter of:

**Adam Jarchow
System ID No. 113315**

Enforcement Case No. 11-11423

Respondent.
_____/

**Issued and entered
on March 22 2012
by **Annette E. Flood**
Chief Deputy Commissioner**

CONSENT ORDER AND STIPULATION

I.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

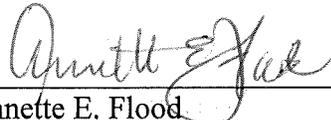
1. Adam Jarchow (Respondent) was a licensed nonresident producer with qualifications in accident, health, life, property, casualty, personal lines and variable annuities. System ID No. 113315.
2. OFIR administers and regulates the Michigan Insurance Code (the "Code"), 1956 PA 218, as amended, MCL 500.100 et seq., and determined that Respondent failed to remit premium funds as required by the Code.
3. More specifically, the Respondent was an authorized agent of Auto-Owners Insurance Group and failed to remit premium money owed to Auto-Owners for the insurance policy he placed on his own home.
4. Respondent knew or reasonably should have known the requirements of Section 1207(1) of the Code, MCL 500.1207(1) provide that "agent shall be a fiduciary for all money received or held by the agent in his or her capacity as an agent. Failure by an agent in a timely manner to turn over the money which he or she holds in a fiduciary capacity to the persons to whom they are owed is prima facie evidence of violation of the agent's fiduciary responsibility."
5. Respondent, by failing to remit premium payments to Auto-Owners, violated Section 1207(1) of the Code, MCL 500.1207(1).
6. Based upon the above actions, Respondent has committed acts that are grounds for the Commissioner to impose a civil penalty in accordance with Section 1244 of the Code.

**II.
ORDER**

Based on the findings of fact and conclusions of law above and Respondent's stipulation, it is ORDERED that:

1. The Respondent shall immediately **CEASE AND DESIST** from violating Section 1207(1) while engaging in the business of insurance in the State of Michigan.
2. Pursuant to Section 1244(1)(a), MCL 500.1244, the Respondent shall pay a civil penalty in the amount of \$1,000 payable to the State of Michigan. Respondent shall further pay the fines within 30 days of the invoice date as indicated on the OFIR invoice.

OFFICE OF FINANCIAL AND
INSURANCE REGULATION

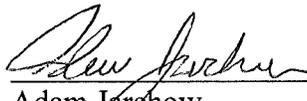


Annette E. Flood
Chief Deputy Commissioner

**III.
STIPULATION**

I have read and understand the Consent Order above. I agree that the Chief Deputy Commissioner has jurisdiction and authority to issue this Consent Order pursuant to the Michigan Insurance Code. I waive the right to a hearing in this matter if this Consent Order is issued. I understand that this Stipulation and Consent Order will be presented to the Chief Deputy Commissioner for approval and the Chief Deputy Commissioner may or may not issue this Consent Order. I waive any objection to the Commissioner deciding this case following a hearing in the event the Consent Order is not approved. I admit the facts set forth in the above Consent Order and agree to the entry of this Order.

Dated: 3-9-12



Adam Jarchow
System ID No. 113315

The OFIR staff approves this Stipulation and recommends that the Chief Deputy Commissioner issue the above Consent Order.

Dated: 3-20-2012



Elizabeth V. Bolden
OFIR Staff Attorney